



Forests and the Biodiversity Convention

Independent Monitoring of the Implementation of the Expanded Programme of Work

**Summary report
May 2008**



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INTRODUCTION

At its Sixth Session, in 2002, the Conference of the Parties to the Convention on Biological Diversity (COP), adopted a Programme of Work on Forest Biological Diversity (CBD/POW), with the aim of preserving, protecting and restoring forest biological diversity. This provides Parties to the CBD with guidance on how to achieve the biodiversity conservation goals enshrined in the Millennium Development Goals, which mandate United Nations members to "*reverse the loss of environmental resources.*"

However, deforestation rates are still extraordinarily high, in the order of 2% a year (FAO 2005). Rapid deforestation and degradation of forests is also leading to an estimated extinction of up to 100 species every day (WRI 2001), and the rampant erosion of forest peoples' rights, knowledge and habitats.

The Global Forest Coalition (GFC) is an international coalition of NGOs and Indigenous Peoples' Organizations involved in international forest policy. The GFC was founded in the year 2000 by 19 NGOs and Indigenous Peoples' Organizations (IPOs) from all over the world. It is a successor to the NGO Forest Working Group, which was originally established in 1995. It participated in international forest policy meetings and organized joint advocacy campaigns on issues like Indigenous Peoples' rights, the need for socially-just forest policy and the need to address the underlying causes of forest loss.

The Global Forest Coalition (GFC) supported the 2002 COP decision and has since striven for its thorough and prompt implementation, at both the national and international levels, in part by coordinating independent monitoring of the implementation of this international forest policy instrument (see back cover).

This report contains the summaries and conclusions of research undertaken in 22 countries (see Table of Contents) by independent country monitors.

These country monitors, together with the GFC Coordination and Focal Points, prepared and distributed country-specific questionnaires to key actors in forest biodiversity policy in their countries (see Annex for a sample questionnaire). Special attention was paid to the participation of Indigenous Peoples and women. The country monitors also conducted interviews with respondents; and prepared a desk report to be integrated with participants' responses. Later in the process, they circulated the information gathered to respondents, who were then invited to a consultation workshop at which the National Reports were analyzed and criticized by the participants; and their amendments and suggestions were incorporated.

The current synthesis includes a summary of the key findings in each country and general conclusions and recommendations. The full reports can be downloaded from www.globalforestcoalition.org/img/userpics/File/publications/ForestandtheBiodiversityConvention.pdf

EXECUTIVE SUMMARY: CONCLUSIONS AND RECOMMENDATIONS

1. Levels of implementation of the COP/POW are certainly very variable, but all countries could do better. Levels of knowledge about the CBD/POW at the national level are low - shockingly so in many countries

There seems to be a general lack of coherence in the area of forest policy on the part of many governments. In general, the CBD/POW does not appear to be an important global initiative to be integrated into domestic policy and given a high priority.

Even those countries that have a well developed national forest strategy and appropriate institutional and legal arrangements, such as Canada, Cameroon, Germany and the Russian Federation, seem to fall at the implementation hurdle.

Other countries, such as Bulgaria and Georgia, seem to have no official implementation process of any kind.

Yet others, such as Aotearoa/New Zealand and Australia for example, seem to regard their existing or other biodiversity-related policies as sufficient. In this context, some other countries that take the same approach, such as Brazil and Panama, fail to make the links between what they are actually doing and the CBD/POW objectives, making it difficult to assess whether or not they are in fact meeting those objectives.

There was a startling lack of information about the CBD/POW in many countries; and evidence of capacity-building was meager.

Ecuador stands out as probably the worst culprit: even government officials responsible for forests seemed to be unaware of the CBD/POW. Hardly anyone else questioned had heard of it either. However, Ecuador was not alone. With the exception of those few government officials charged with CBD and UNFF responsibilities, the CBD/POW remains almost unknown within government and civil society circles in countries such as Bulgaria, Mexico, Panama and Uganda.

In Aotearoa/New Zealand in particular, but also in other countries, there also appeared to be considerable levels of concern amongst many stakeholders about the level of capacity building being undertaken by government. One highly experienced NGO representative reported that he felt unable to answer the questions, because of a lack of knowledge, and many others at the monitoring workshop echoed the feedback. Australia was also noted as lacking in capacity-building activity.

RECOMMENDATIONS:

- *There is a clear need to strongly enhance awareness of the CBD/POW as a tool to implement the legally binding commitments under the CBD.*
- *The CBD/POW should be put at the heart of national forest policies.*
- *Governments should undertake inventories of measures already in place that fulfill the requirements of the CBD/POW, and develop and implement strategic forest plans as part of their national biodiversity strategies and actions plans.*
- *Most countries need to improve their efforts to communicate the objectives of the CBD to the wider public dramatically and build the capacity of rightsholders and stakeholders.*

2. There are some clear success-stories of forest biodiversity conservation, especially on recognized Indigenous lands, but Indigenous Peoples and local communities were hardly involved in policy-making.

Indigenous peoples and local communities are still frequently excluded from the entire process at the national level, being neither consulted nor involved in decision-making processes in countries, including in countries like Brazil, Paraguay, Canada and Ecuador, where up to 80% of remaining forests is found on Indigenous territories.

This is ironic and disappointing given the fact that Indigenous Peoples' knowledge is invaluable in determining how best to conserve forest biodiversity.

In Paraguay, for example, Indigenous Peoples' territories are some of the very areas in which forests have been most successfully conserved, thus proving the value of indigenous forest management practices.

In Ecuador, where indigenous communities and nations own 80% of the country's forests, Indigenous peoples have already demonstrated that they are clearly more able and more committed to conserving forest biodiversity than the Ecuadorean government.

Canada explicitly recognizes the rights and participation of aboriginal people in its Forest Strategy 2003-2008. There have also been some instances of the reallocation of forest tenures to First Nations and other communities where co-management agreements have been developed with First Nations. However, our research indicates that it is still the case that impacted local and Aboriginal communities in Canada are often denied meaningful opportunities to participate in forest management planning processes. Also, extractive forestry in Canada continues to employ fewer and fewer people, and focuses on a limited range of timber commodities. As a result, impaired habitat and wildlife populations continue to undermine Aboriginal rights to hunt, trap and fish in their traditional territories on Crown land.

Samoa is another example where there does seem to have been a relatively high level of indigenous consultation. However, in such a small country it would be hard to develop a program without involving the community in some way. What is not quite so clear is the level of stakeholder capacity-building being undertaken by the Samoan Government. Furthermore, there was little evidence of indigenous methodologies being employed.

The fact that land prices are increasing, partly because of increasing demand for agrofuels, is also having a detrimental impact on land settlement processes for Indigenous Peoples in countries like Paraguay. The more valuable the land is, the less likely it is that it will be ceded back to Indigenous communities. This will have a knock on impact in terms of forest biodiversity, since Indigenous Peoples have considerably more knowledge, expertise and interest in conserving forests than state authorities. The report from Aotearoa/New Zealand also noted that the land settlement process and the conservation process are sometimes in conflict with each other.

Recommendations:

- *Considering the success of Indigenous Peoples' forest management practices, the full and effective implementation of the rights of Indigenous Peoples to manage their own territories, as recognized by the UN Declaration on the Rights of Indigenous Peoples (UNDRIPS), would form a major contribution to the implementation of the CBD/POW.*
- *The effective participation of Indigenous Peoples and local communities in forest policy development and implementation, and respect for Indigenous management practices is essential for the effective implementation of the CBD and UNDRIPS.*

3. Some countries are heavily reliant on protected areas as the main tool for meeting their commitments under the CBD/POW.

This includes Aotearoa/New Zealand, Bangladesh, Brazil, Bulgaria and Samoa.

The notion that protected forest areas is an effective way to curb biodiversity loss is strong in most countries monitored, particularly in the views of officials. However, the idea that halting forest conversion would, in turn, halt deforestation, does not seem so evident to most official respondents.

It is true that in many developed countries monitored, local deforestation has slowed, declined or ceased to a large extent. What is less easy to gauge is how much of the demand for timber from these countries has simply been exported to the developing world.

Prioritizing protected areas may conceal governments' failures to implement the CBD/POW in other ways; and divert attention and resources away from other mechanisms and tools.

The protected areas approach is also reported to be having a negative effect on some Indigenous Peoples and local communities, who are finding their rights to access forest resources challenged or otherwise impeded, as was reported in Cameroon, Bangladesh and the Russian Federation.

Recommendations:

- *It should be ensured that forest biodiversity conservation policies go beyond the establishment of protected areas.*
- *Whenever protected areas are established, the rights of Indigenous Peoples and local communities should be fully respected and prioritized.*
- *The CBD should re-appraise the sole use of protected areas as a tool for implementing the CDB/POW objectives.*

4. In many countries, environmentally and socially harmful monoculture tree plantations are still being promoted within the framework of forest and climate change mitigation policies. Insufficient efforts are being made in relation to forest restoration.

There is an emerging awareness of the links between forests and climate change in some countries, which could be constructive if the Ecosystem Approach forms the basis of integrated policies. Reports in some countries, such as Australia and Bangladesh, reported improvements in governments' understanding of the links between forest conservation and restoration and climate change. However, most countries do not fully comprehend the importance that forest biological diversity has for issues like climate change or water cycling.

Furthermore, where reforestation and afforestation are taking place, they may be being implemented in a way that has no value for, or even threatens, forest biodiversity. Mexico's Proarbol Programme, for example, which is held up by the Mexican Government as a tool for mitigating climate change, promotes the wholesale plantation of trees with no attention to ecological constraints.

There is also evidence of other countries, such as Uganda, attempting to rely on potential trickle-down effects from afforestation, in the hope that there will be some benefit for forest biodiversity more generally.

Climate change mitigation is currently being used as a justification for the expansion of monocultural plantation areas, even though it is widely recognized that when large areas of land are covered in introduced monocultures, dangers to the pre-existing and often endemic biodiversity are increased. It should also be remembered that much of the wildlife population is highly dependant on indigenous biodiversity for survival.

In this respect, inadequate forest definitions were raised as an issue of concern in many countries, especially in Europe and the Pacific. In Australia in particular, an inadequate forest definition was felt to be at least partly responsible for the officially claimed recovery in forest conservation. In all three countries, forest cover was a hotly debated issue due to problems

over definitions. In the absence of such a definition, renewed efforts to reduce deforestation and increase forest cover as part of climate change policies could lead to the expansion of monoculture tree plantations that are very harmful to forest biodiversity and forest peoples.

Given a proper definition of forests, that excludes monoculture tree plantations, there is considerable scope for encouraging governments to take their CBD/POW commitments more seriously in the future, as part of their efforts to mitigate climate change. It was recommended that countries which have lost significant amounts of their original forest cover, like the Netherlands, Paraguay and Bangladesh, should make significant investments in forest restoration initiatives.

RECOMMENDATIONS:

- *There is a clear need to develop a coherent definition of forests that recognizes forests as an ecosystem and excludes monoculture tree plantations.*
- *Governments should integrate forest biodiversity in school and other educational curricula, especially forestry and land-management related courses, and support theme-based education programs for senior government and non-government officials (including Indigenous Peoples and women).*
- *Countries which have lost most of their forest cover should make significant investments in ecosystem-scale forest restoration, as an important contribution to biodiversity conservation and climate change mitigation. These programs could be developed in conjunction with Indigenous Peoples and local communities.*

5. Weak institutional capacity, ambiguous regulatory frameworks, lack of information and expertise, low levels of law enforcement and corruption are key impediments in many countries. Land ownership is also considered as a key factor in governments' ability or willingness to implement their CBD/POW commitments.

Strong regulatory frameworks, including in particular deforestation bans and moratoria, were found to be a key factor in the success of forest biodiversity policy in countries as varied as the Netherlands, Paraguay, Costa Rica and Russia. Such bans and moratoria also proved more cost-effective, and easier to enforce than market-based approaches, especially in countries like Paraguay, where the fact that the overwhelming majority of forests are privately owned, formed a major obstacle to forest conservation before the deforestation moratorium was introduced.

The privatization of land is an issue raised in several reports. This could be a significant factor determining whether or not countries are successful in implementing their CBD/POW commitments. Germany's ecological management rules, which are relevant to the aims of the CBD/POW, are not binding for private forest owners, who own nearly half of Germany's forests. Meanwhile, countries like Kyrgyzstan found it easier to implement their biodiversity-related objectives since all forest resources are under national protection. While there are exceptions, especially when public institutions depend on income from logging and/or logging concessions, as in Cameroon, strong rules and state control over forest land tend to facilitate effective forest law enforcement.

The fact that some governments currently favor market-based mechanisms over regulations was considered to be an issue of concern in countries like Germany, Costa Rica, Georgia and Paraguay.

Weak institutions and corruption are a major factor in the implementation of the CBD/POW too. Mozambique, for example, is willing but struggling to implement its commitments, because of persistently high levels of illegal logging. Uganda finds itself in a similar predicament, and was found to be implementing sustainable use and management of forest resources as 'good practice' examples, rather than components of a comprehensive country-wide effort.

Even Paraguay, which has developed a rather good regulatory framework for dealing with forest conservation and management, suffers from weak institutional structures and official corruption that hamper the implementation of agreed policies.

Officials in Ecuador also reported a lack of resources and appropriate personnel as a reason for its failure to implement national forest policies. Bangladesh and Mozambique's efforts are also hindered by endemic corruption.

RECOMMENDATIONS:

- *Governments facing high deforestation rates should implement deforestation moratoria and bans, which have proven to be a highly successful policy measure to halt forest biodiversity loss*
- *Governments should identify the legal, social and/or economic reasons for corruption and set up measures to eradicate them.*
- *There is a need to establish strong publicly governed forest policy institutions that do not financially depend on logging or logging concessions and include the full and effective participation of Indigenous Peoples and local communities.*
- *Government should be cautious with the privatization of land and market-based mechanisms, which could complicate and even frustrate effective forest law enforcement and forest biodiversity policy in general.*

6. Conflicts with other economic objectives remains an entrenched problem, with logging, oil concessions, agriculture and now agrofuels offering significant economic incentives *not* to implement the commitments under the CBD.

Increasing demand for agrofuels is a relative newcomer to this list of threats to forest biodiversity. Critically, demand for agrofuels is driving up global prices for food commodities and increasing demand for agricultural land, thereby increasing the pressure to permit deforestation. This is most starkly obvious in Brazil, where cane and soy production are pushing cattle ranching out to the agricultural frontier.

This new trend is also reaching crisis proportions in Paraguay, where soy again dominates the economic landscape.

Recommendations:

- *Perverse economic incentives that form direct or underlying causes of forest biodiversity loss have to be identified and reversed.*
- *Considering the dramatic direct and indirect impact on forests and forest peoples of the current agrofuel boom, all financial and other support for agrofuel production should be halted.*

7. There seems to be considerable resistance to adopting the ecosystem approach.

Canada's approach to promoting sustainable forestry is notable, but a range of other countries, including Bangladesh, Aotearoa/New Zealand and Samoa appear to favor the so-called *scientific forestry* approach, which is focused on the provision of timber (and occasionally non-timber) products to ever growing markets.

The expansion of monocultural plantations for the production of pulp in Aotearoa/New Zealand is a clear example of this. With the largest single continuous monocultural plantation in the world, Aotearoa/New Zealand argues that plantations provide indirect forest conservation (replacement timber). However, it is also the case that the expansion of plantations has provided its own set of biodiversity conservation problems, especially in relation to invasive species and introduced pests.

The current *scientific forestry* approach seems to continue to dominate at all academic and training levels. This has significant consequences for the implementation of the CBD/POW: in particular, the rich accumulation of knowledge that Indigenous Peoples and women hold could remain unutilized. This holds true even in some developing countries with majority indigenous populations.

Mexico explicitly rejects the ecosystem approach in favor of its preferred approach, which focuses on watersheds.

Some countries, like Germany and Kyrgyzstan, seem to be failing to note and/or address causes of forest degradation, including air-borne pollution.

RECOMMENDATIONS

- *Governments must adopt the Ecosystem Approach to forest biodiversity and fully integrate this approach in all forest-related policies, as it forms a clear legally binding commitment under the CBD.*
- *Governments should facilitate and improve forest-related research and development, and distribute research results widely.*
- *Monitoring and addressing pollution, on the basis of the precautionary principle, should be carried out in countries where it constitutes a problem.*
- *The CBD and other UN fora need to revise the definition of what constitutes a forest, specifically excluding plantations and including Indigenous Peoples' perspectives.*



*Yvyipuruvu tree, Parana, Brazil
Photo: Simone Lovera*

AFRICA

❖ Cameroon

Cameroon has a massive forest estate, estimated at 21.2 million ha in 2005. It also has an annual deforestation rate of about 0.6%.

Cameroon produces about 3.27 millions m³ of timber per year, of which almost 2.27 million m³ is industrial wood and 1 million m³ domestic wood. Forestry employs more than 10,000 people and contributes more than 6% to its GDP.

Cameroonian forests are home to local communities (Bantus) and Indigenous communities (including the Bakas, Bagyeli and Bedzan peoples, commonly known as Pygmies).

Land in Cameroon is owned by the State, by virtue of Law 74/01, passed on 6 July 1974. The same principle is adopted by the law establishing a regime covering forests, fauna and fisheries, passed on 20 January 1994. These regimes have severe consequences for Indigenous Peoples because they cannot secure tenure of their ancestral lands, which puts them at a severe disadvantage when competing with Government plans, commercial forest concessions and/or exclusive protected areas. Thus, whilst forest operations continue and the number of protected areas increases, Indigenous peoples and communities of the forests are being driven into poverty.



*Tropical forest Cameroon
Photo: Nadine Mbala, Albert K. Barume*

Cameroon's efforts to develop a framework for the implementation of a forest biodiversity policy have been numerous, although not always in accordance with the guidance of the CBD/POW.

Long before the adoption of the CBD/POW, Cameroon had already nearly completed the establishment of a legal and institutional arsenal considered capable of guaranteeing a good level of biological diversity within its forests. This is partly thanks to an important sectoral reform plan executed through the third Structural Adjustment Loan.

After the adoption of the CBD/POW, Cameroon continued its efforts to reform its laws and institutions, including through the Development Plan for Indigenous Peoples, the Forest Management Norms, the Development Plan for the Pygmies (PDPP), the Computer System for the Management of Forestry Information (SIGIF), the Sectoral Programme for the Forest Environment (PSFE), the National Strategy and Action Plan for Biological Diversity (SPANB), the National Management Plan for the Environment (PNGE) and the Strategic Document for Poverty Reduction (DSRP).

Additionally, various bilateral and multilateral cooperation agreements have provided and continue to provide Cameroon with support in dealing with various aspects relating to forest biodiversity. These include the United Nations Development Programme, the United Nations Environment Programme, the United Nations Food and Agriculture Organization, the World Bank and the International Labour Organisation.

Cameroon seems to have spent the last twelve years putting its forest sector reforms in place, primarily by establishing a range of legal and institutional tools.

These should now be implemented in order to relieve, amongst other things, the increasing poverty suffered by forest peoples, who see their livelihoods rapidly deteriorating; the environmental problems increasingly felt in forest areas; the pressure that market forces exert on the forest sector; the rise of poaching due to social pressures; and various other factors that interact synergistically to the detriment of forest biodiversity.

❖ **Mozambique**

Mozambique is rich in forest resources, with a total forest area of approximately 306,010 km² (out of a total of 784,755 km²). The majority of the 19.2 million Mozambicans inhabiting the country are poor and the population is mainly rural, meaning that a great number of people often depend on the collection of both wood and non-wood forest products. Despite the existence of very small and remote patches of 'primary forest' in Mozambique, the majority is 'secondary forest'.

Most provinces have areas of valuable and beautiful forest, from which rural communities acquire several goods for subsistence as well as for cultural and spiritual purposes.

Based on White and Barbosa's mapping of Africa's vegetation types, the so called Miombo Forest, which occupies about two thirds of the land, is the predominant forest type, especially in the northern part of the country. The Miombo Forest is characterized by dense vegetation cover, with deciduous and semi-deciduous trees which are between 10 and 20 meters tall when mature and non-degraded. Fire is an important ecological component in the Miombo.

The second most extensive forest type found in the country is the Mopane Forest, found particularly in the Limpopo-Save area and the upper Zambeze Valley, to the centre and South of the country.

A national forest inventory was recently concluded in Mozambique. It stated that the annual rate of deforestation in the country is 0.58%, corresponding to approximately 219,000 ha of forest. The annual deforestation rate in 2004 was equivalent to 0.81%. Illegal logging was identified as the main reason for deforestation.

Climate change is already affecting Mozambique, in the form of extreme weather events including floods, droughts and tropical cyclones. In a country where the majority of people live below the poverty line, these extreme weather conditions have severe effects on health and local livelihoods, increasing the vulnerability of the poor.

In addition, Mozambique is now developing a policy and strategy for the production of agrofuels. The country has already given an indication of the main crops that will be used for agrofuel production: coconut palms, jatropha, African or oil palm, cane sugar and cassava (although the feasibility of the latter is currently being discussed, due to its importance as a staple food).

Pine and eucalyptus plantations, which are now being established in Niassa, and agrofuel crops are often planted on non-degraded land. There are testimonies that virgin forest areas are being cut down for plantations.

Since ratifying the CBD, Mozambique has implemented a series of mechanisms, strategies and plans to improve the sustainability of the forest sector, in line with the CBD/POW.

However, deforestation rates in the country remain high, mainly because of illegal logging practices, firewood collection, charcoal production and forest fires. These, coupled with weak institutional and human capacity, extremely weak law enforcement, corruption and a lack of

political will have been forcing local communities to migrate to degraded land, putting local livelihoods at risk.

There is a general lack of political interest in reducing current deforestation rates, which – especially when combined with the type of economic growth and development that is currently being encouraged and facilitated by the Mozambican government - often works against the sustainable use of natural resources, including forests.



Road in Mozambique

Photo: Vera Ribeiro, Daniel de Lemos Ribeiro

For example, increased foreign direct investment, in the form of mega- and large-scale projects (which are exempt from taxation), employ few people and result in a transfer of much of the profits out of the country.

There is a risk that reforestation with exotic species and agrofuel crops will be presented as a suitable use of degraded land, a means of combating deforestation and as a conservation mechanism. This could put national food security at risk. This point has been raised in the national draft reforestation strategy that Mozambique has recently developed.

There are no simple solutions to the problems encountered in the national forest sector. There are too many players benefiting from illegal logging and the export of precious woods (including higher government officials).

Despite the programs, mechanisms, laws and regulations implemented since the CBD and the POW on forests, a lot more needs to be done to ensure the sustainability of Mozambican forests. This should include stronger mechanisms to ensure that communities benefit from forest exploitation, building partnerships with NGOs, fighting corruption, cancelling the simple license system and providing training to Mozambican officials, amongst others.

❖ **Uganda**

Uganda is a signatory to the Convention on Biological Diversity (CBD) and claims that forests are at the very core of its interest in environmental policy implementation.

However, during the implementation of the Independent Monitoring process in Uganda, it was found out that while some aspects of the CBD/POW were being implemented, most of them were being implemented more as 'good practice' examples of the sustainable use and management of forest resources, rather than as part and parcel of an expanded programme of work across the country.

The concept of CBD and the POW was new to the majority of Ugandan government officials and civil society organizations engaged in nature-related activities, except for those officials and government institutions directly mandated to implement the CBD/POW in the country.

The latter includes the National Environment Management Authority (NEMA, the country's CBD Focal Point), the National Forest Authority (NFA), the Forest Support Services Division (FSSD), the Wetlands Inspection Division (WID), the Ministry of Water and Environment (MWE), the Ministry of Agriculture, the Animal Industry and Fisheries (MAAIF) and the Ministry of Finance, Planning and Economic Development (MFPED). MFPED is the national focal point for accessing CBD funding.



*Fringes of Mabira Central Forest Reserve
Photo: Frank Muramuzi*

Implementation of the CBD/POW (or parts of it that also constitute elements of other national forest policies and legislation) is constrained by:

- limited financial and human resources;
- insufficient information concerning the types, scales and extent of forest biological diversity in terms of species population and genetic variability; socio-economic and cultural aspects; and
- lack of utilization of indigenous knowledge in the use and sustainable management of forest biodiversity.

This is further complicated by generally limited awareness concerning the expanded programme of work on forest biological diversity of the CBD.

Whilst there are forest restoration initiatives in Uganda, the manner in which these initiatives are implemented does not directly address all species found in forest ecosystems. Rather, they tend to focus on afforestation, in the hope that there will be a positive trickle-down effect on the other components of the forest ecosystems and biodiversity. Thus different tree-crops, as well as sugarcane, planted to produce agrofuels feedstock, are considered acceptable.

There is a need to provide further support to the development of the technical and financial capacity of the institutions engaged in implement the CBD in Uganda, if the CBD/POW targets are to be met by 2015 as agreed at the 6th COP meeting.

There is also a need for increased awareness amongst the actors and the general public in Uganda concerning the CBD/POW.

THE AMERICAS

❖ Brazil

Brazil has the largest reserves of tropical rain forest in the world. They are also the world's richest forests, both in terms of biodiversity and ecosystem diversity.

These factors place an enormous responsibility on the Brazilian Government, which is supposed to prioritize the conservation and sustainable use of forests. However, its current priorities seem to be focused primarily on accomplishing trade and development objectives that relate to biodiversity conservation.

If one considers the main elements of the Program of Work on Forest Biological Diversity - namely the sustainable use and sharing of benefits, the establishment of a favorable institutional and socioeconomic environment and the development of knowledge, monitoring and assessments - then it is clear that the Brazilian authorities are making some efforts towards achieving the objectives of the CBD/POW.

However, although some scattered actions do resonate with the general sense of the CBD/POW, the Brazilian Government has not articulated these policies so that they are explicitly in agreement with the objectives and goals of the CBD/POW, as it should have done.

This situation makes it difficult for anyone to evaluate the implementation of the CBD/POW in Brazil accurately. This was clear from interviews and questionnaires submitted by actors in all sectors, including government.

The main instrument the Brazilian Government counts on for the preservation and conservation of forest biological diversity is the creation of 'conservation units'.

However, the simultaneous acceleration of agribusiness activities - the political and economic priority chosen by the Government to deliver its developmental goals, mainly through *agroenergy* - seems to be in conflict with the need to promote and implement forest conservation policies through the alteration of production and consumption patterns. This is particularly relevant in the agricultural sector, which is by far the main direct and underlying cause of forest loss in Brazil.



Amazon, Brazil
Photo: Camila Moreno, Maria Rita Reis

At the same time, the conservation units suffer from several seemingly inherent setbacks that generally impede the effective preservation of forests.

In that sense, we can affirm that actions and policies to reduce the structural threats to forest biodiversity in Brazil do not really exist. The processes that endanger forest biodiversity in Brazil remain unchecked.

Forest restoration initiatives are also incipient and fragmented. In this respect, there is an evident lack of monitoring of deforestation and forest degradation of the Legal Reserves in rural properties, especially in the Atlantic forest.

Brazil also possesses great socio-diversity and local communities may be indigenous or non-indigenous, riverine, extrativistas (people who extract non-timber forest products, such as rubber tappers), quilombolas (descendants of African people) or coconut breakers. There are also many other communities who call the forest their home and who depend on it for most if not all of their livelihood.

These communities have long stood firm in defense of their natural resources, including their forests. Many successful existing policies relating to biodiversity are the direct result of the mobilization and struggle of these communities including the creation of Extractive Reserves, permission for communities' permanent presence in the National Forests and free access to the *babaçuais* (palm lands).

As in other countries, the best preserved places, forests and rivers are those interior spaces occupied by Indigenous Peoples and other traditional cultures.

About 25% of Brazil's territory is already under ownership or is claimed by Indigenous or traditional communities. In February 2007, the National Sustainable Development Policy for Indigenous People and Traditional Communities and its regulatory framework were instituted by law.

However, Brazilian policies that relate to forest peoples do not link up well with the POW or with other components of the CBD. For example, the Brazilian Government affirms that *"still relative measures were not implemented to ensure traditional communities' participation"*, when answering the question regarding action taken to harmonize national forest biodiversity policies with Indigenous Peoples rights. Thus it is hard to assess and compare the state of forest peoples in Brazil, both before and after the inception of the CBD/POW. The Brazilian Government itself does not consider involving them in the implementation of the CBD/POW.

There is a clear need for a more coherent strategy to implement the Forest Program of Work in Brazil, including by creating a favorable institutional and socio-economic environment that addresses the impact of the agricultural sector on Brazil's forests and forest peoples.

❖ **Canada**

According to Canada's National Forest Strategy 2003-2008, forests cover 417.6 million ha, more than 40% of its territory. They also account for 10% of the world's total forest land, 25% of the world's natural forest, 30% of the world's boreal forest and 20% of the world's temperate rainforest.

Its most biodiversity-rich and productive forests are those located in the South of the country. However, these are also the Canadian forests most extensively influenced by human activity.

Of the estimated 140,000 species in Canada, approximately two-thirds are thought to either live in forests or to be dependent upon forest habitats.

The effects of climate change in Canada are predicted to have serious impacts on its forests and forest biodiversity over the coming decades. Expected impacts include more forest fires and pest infestations and a northward shift in forest tree species' ranges, with associated impacts that may lead to the extermination and possible extinction of particularly vulnerable forest wildlife species, like the woodland caribou.

The majority of Canada's forest land (nearly 94%) is publicly-owned, 71% by provincial governments and 23% by the Federal and territorial governments. The remaining 6% is privately owned.

The Constitution of Canada provides the provinces with the authority to make laws relating to the *"development, conservation and management of non-renewable natural resources and forestry resources in the province"*. These powers also include the ability to set stumpage fees and regulate exports to other areas of Canada.

The Federal Government, on the other hand, is responsible for external affairs, including trade, commerce, treaties and conventions relating to forests and forest products. It has a clear mandate to promote trade in Canadian forest products and to monitor the implementation of international trade regulations.

The Canadian Federal Government's department, Natural Resources Canada, developed the Forested Areas section of the Canadian Biodiversity Strategy (CBS) in response to the CBD/FPOW. This provides strategic direction in support of the goals and objectives of the CBD in Canada.

Coordination of CBD-related undertakings is done through the activities of a Federal-Provincial-Territorial Working Group, which includes members of the Federal Government's Canadian Forest Service.

The strategic directions for implementing the FPOW are linked to Canada's fifth National Forest Strategy (NFS 2003-2008) – "*Sustainable Forests: A Canadian Commitment*" (<http://npsc.forest.ca/strategies/nfs5.pdf>), and to a number of provincial/territorial biodiversity strategies that have also been developed.

There has been a widespread movement in Canada towards adopting sustainable forest management in the broad sense, bringing consideration of other values besides timber yields into forest management planning. For example, emulation of natural disturbances has been incorporated into public policy in most jurisdictions as an approach intended to foster ecosystem-based management. This approach is compatible with the Ecosystem Approach enshrined in the CBD/POW.

Although most Canadian forests are publicly owned, the vast majority of commercially viable Crown forest land is licensed to the forest industry.

Furthermore, most of Canada's commercial forest activity occurs on or near Indigenous Peoples' traditional territories that are subject to Indigenous Peoples' rights, title or treaty considerations. 80% of Canada's Indigenous Peoples' communities are located within commercial forest zones; and First Nation historic treaty areas contain 55% of Canada's large, intact forest landscapes.

The economic crisis in Canada's forest industry, which worsened substantially in the 2002-2007 period, has also had an increasingly negative impact on a large number of forest-dependent peoples during this period.



Boreal forest in Northern Ontario

Photo: Canadian Parks and Wilderness Society Wildlands League

In general, the business-as-usual industrial forestry model mandates extractive forestry that continues to employ fewer and fewer people, and focuses on a limited range of timber commodities. As a result, impaired habitat and wildlife populations continue to undermine Aboriginal rights to hunt, trap and fish in their traditional territories on Crown land.

The financial benefits of logging generally continue to be distributed inequitably, benefiting company shareholders and CEOs, as opposed to the Aboriginal and local communities who are directly affected by logging practices.

Furthermore, affected local and Aboriginal communities are still generally denied meaningful opportunities to participate in forest management planning processes, including in relation to tenure allocation and forest management decisions.

Despite these conclusions, however, there have been instances of the reallocation of forest tenures to First Nations and other communities (generally through short-term licenses), where co-management agreements ensuring involvement in forest management decision-making have been developed with First Nations.

Based on the findings of this assessment, however, it is clear that if Canada's commitment to the CBD/FPOW is to be fully realized, a great deal more effort is needed.

Efforts to conserve forest biodiversity, such as those set out in the National Forestry Strategy, need to be explicitly linked to the CBD and the FPOW so that their effectiveness in meeting international commitments can be clearly tracked.

Strong leadership also needs to be expressed at the federal and provincial/territorial levels, to ensure that the goals of the CBD/FPOW are being clearly translated into forest policies at all levels and into strategies such as the National Forest Strategy, and to ensure that when policies are developed they are implemented. Both the development and implementation of relevant policies currently fall short of what is required.

While there are good examples of progress in all general aspects of the CBD/FPOW, the individual cases studied indicate that actual progress is not so good. In other words, although the 2003-2008 National Forest Strategy is a good strategy, developed with good intentions by a broad multi-stakeholder process, it has not proven adequate as an approach to meeting CBD/FPOW commitments.

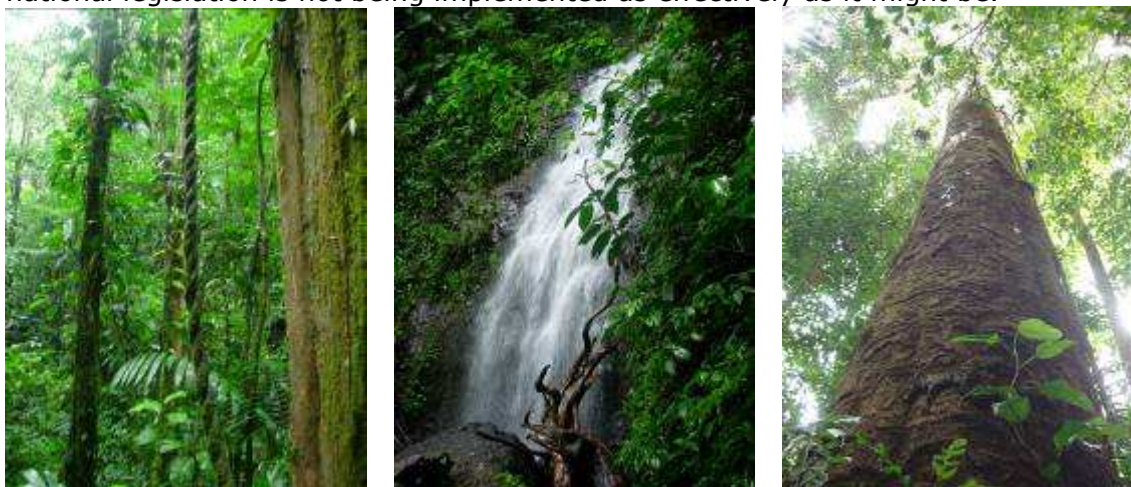
A new National Forest Strategy, to replace that of 2003-2008, is currently under development by the Canadian Council of Forest Ministers. It remains to be seen what direction the new plan will take and whether it will enable Canada to meet its forest biodiversity conservation commitments.

❖ Costa Rica

Costa Rica ratified the Convention on Biological Diversity on 28 July 1994. It has implemented the Convention through its Biodiversity Law No. 7788, which was approved in 1998, and the Norms for Access to Biochemical and Genetic Elements, which now apply to both *in situ* and *ex situ* elements. Together, these laws constitute one of the world's most complete legal frameworks for implementing the CBD.

Costa Rica is now well known for its efforts in the sphere of biodiversity conservation. It has implemented numerous and varied initiatives, both public and private, that seek to resolve conservation problems. Indeed, these are so varied that they sometimes conflict with each other, or with the Government's neoliberal economic policies.

In addition, some of the public institutions are under-resourced and have difficulties fulfilling their obligations in relation to conservation and the sustainable use of biodiversity. Overall, then, national legislation is not being implemented as effectively as it might be.



Forest in Costa Rica

Photos: Alejandra Porras and Mariana Porras

Costa Rica's National System of Conservation Areas (SINAC) is also under-resourced and having difficulty supporting implementation of the legislative framework (through, for example, dissemination of research results, consultation processes, effective representation at meetings and participation in CBD activities).

Consequently, both forests and other forms of biodiversity remain under threat from numerous commercial activities, including large-scale tourism, which encourages a concentration of land holdings, especially in high-value coastal areas.

Costa Rica's Forest Contingency Plan also permits large concerns (which, incidentally, helped to create the plan) to harvest wood under a market-based model. This channels the proceeds of incentives schemes like the Payment for Environmental Services scheme into the hands of that same industry. This has led to the establishment of monoculture plantations and has encouraged increased market-led exploitation of forests and other ecosystems.

In general, the predominant economic model implemented in the country over the last decade has accentuated export-oriented agricultural production. This is leading to a different distribution of land (and hence land tenure) in most of Costa Rica, an increasing concentration of land ownership and the establishment of large integrated monocultural agribusinesses.

70% of the territory is now in the hands of just 0.75% of the population. 83.4% of the population share just 1.12% of the remaining land. Indigenous Peoples' territories, covering 334,447 ha and constituting 6.5% of the country, are also partly (131,559 ha or 39.3%) in non-indigenous hands. This demonstrates that the recovery of lands has been far from successful, as the CONAI (National Commission of Indigenous Matters) points out. This has resulted in various socio-cultural problems for Indigenous Peoples, including land loss, urbanisation, cultural alienation and, in many cases, loss of identity.

The current economic model has also created a new agricultural pattern that is not responsive to appropriate planning, making it extremely difficult to achieve food sovereignty. In addition, it has contributed to environmental degradation, including the contamination of both surface and underground waters with agrochemicals.

A 2006 study, by the University of Alberta (Canada) and the Technological Institute of Costa Rica (ITCR), and financed by the National Fund for Forest Financing (Fonafifo), shows that in 2005, forest cover stood at 48% (excluding mangroves, moors and tree plantations). Cover had increased by 169,914 ha since 2000, as a result of forest regeneration, but decreased by 23,689 ha in other areas, due to ongoing deforestation.

The study also shows that both recovery and deforestation rates are increasing; but that recovered forests are very vulnerable to further land use changes. The consolidation of these recovered areas *"to improve the connectivity of the landscape, the quality of habitats and the production of environmental services"* and the recovery and conservation of threatened species requires a coherent strategy at the national level.

The study also finds that 43% (1,050,015 ha) of Costa Rica's forests are protected in one way or another: 57% are not. Still, it also finds that the Payment for Environmental Services scheme protected a total of 451,500 ha of unprotected forest between 1997 and 2005. This is the equivalent of 18% of national forest cover in 2005, or 32% of unprotected forest cover.

Overall, the study shows that Costa Rica has been successful in regenerating at least some of its forest cover over the last decade. This recovery is due to a combination of factors, including decreasing demand for Costa Rican meat. In addition, the positive impacts of the Payments for Environmental Services scheme seem to have been due in part to the participation of rural, environmental and indigenous organizations.

Under the system of protected areas (which number 165 at the moment), there are seven different management categories, covering a total of 12,886 km² (25.2% of the country).

However, 44% of these protected areas are in private hands; and many do not have adequate resourcing to ensure success in the long term. Nevertheless, the creation of protected areas has been an important policy effort.

In contrast, Costa Rica's current pattern of economic development, which is based on free trade, has counterbalancing, negative impacts. These will be exacerbated by the recent approval of the Free Trade Agreement between the United States, Central America and the Dominican Republic (TLC).

The environmental chapter of the TLC ignores the implementation of international agreements like the Kyoto Protocol, the CBD and the Cartagena Protocol on Biosafety. Even more worryingly, it discards all legislation that inhibits the exploitation of natural resources (including existing laws relating to biodiversity, mining, forests, hydrocarbons and water).

In the same way, it favors the privatization of atmospheric environmental services; and knowledge (through bioprospecting, patents, UPOV 91 protection for new vegetable varieties and the ratification of international intellectual property treaties, such as the Treaty of Budapest which deals with the storage of micro-organisms).

Finally, the TLC encourages increased investment in activities based on the exploitation of natural resources, such as the development of large mining, petroleum and monoculture projects, despite the fact that these are all activities that have been identified as underlying causes of deforestation and loss of forest resources in numerous studies.



Forest in Costa Rica

Photos: Alejandra Porras and Mariana Porras

In this sense, the Payment for Environmental Services Scheme is recognized as a 'market-based mechanism' and, being strictly linked to monetary benefits for land owners, loses its strategic character as a tool to stimulate conservation based on high-priority zoning according to social and environmental interests of the country.

Costa Rica's efforts to promote conservation and sustainable use have been developed, in general, under the framework of the CBD. However, this has not been in a conscious, explicit or particularly integrated manner. General knowledge about the CBD is not widespread, because of the absence of clear lines of responsibility and financing for the CBD focal point.

In general, our research showed that while the Government of Costa Rica has implemented the CBD/POW, Costa Rican social organizations do not know about it. The Government assumes commitments at the international level that it is incapable of fully honoring. It does not fully and effectively implement capacity-building and participation programs. Similarly, it has hardly ever encouraged dialogue with social organizations when formulating policies to take to international fora, such as the Convention on Biological Diversity (CBD).

It is important to reiterate the need for relevant policies and laws to be implemented under participatory processes, involving the Costa Rican social movement.

❖ Ecuador

Ecuador is a pluricultural country that recognizes, in its constitution, the existence of various nations and Indigenous Peoples whose territories fall within its borders. These peoples own about 80% of the country's forests. However, this is not reflected in any processes relating to the implementation of the CBD/POW. Furthermore, actions that communities are taking to conserve forest biological diversity do not have the institutional backing of the Ecuadorian Government. On the contrary, there is strong pressure from the Government to link indigenous domains to market mechanisms.

It is lamentable to note that even government officials in relevant departments did not seem to know of the existence of the CBD/POW; and only a few people from the indigenous and environmental organisations had heard of it. This leads us to believe that many of the decisions that the Government makes in intergovernmental fora are not being conveyed to the communities they involve or to civil society organizations.

In Ecuador, there are four distinct regions - the Costa (coast), Sierra (highlands), Amazonia (the territory containing the Amazon River) and the Galapagos Islands. Official records indicate that the area of native forests (including highland bush) is approximately 8 million ha, mangroves approximately 227,300 ha and tree plantations 143,000 ha. Most of the forest falls within Ecuadorian Amazonia and the northern area of the Costa. All of these territories are inhabited by the different nations and Indigenous Peoples of Ecuador.

According to data published by the Instituto Nacional de Estadísticas y Censos (INEC, the institution charged with conducting censuses and gathering statistics) the indigenous population fluctuates between 10% and 25% of Ecuador's 13 million-strong population. On the other hand, the indigenous population's Confederación de Naciones Indígenas del Ecuador (CONAIE) believes that 45% of the national population is indigenous. Those who live in Ecuadorian Amazonia include Cofán, Secoya, Siona, Shuar, Wao, Achuar, Shiwiar, Andoa, Zapara and Kichwa; those in the Costa include Chachi, Epera, Awa and Tsachila. In the Ecuadorian Sierra there are diverse peoples of the Kichwa nation.

Ecuador's protected areas overlap most of the Indigenous Territories that are currently entangled in unresolved disputes. The largest of these protected areas is located between the eastern slopes of the Andes and the tropical humid areas of Amazonia.

While the Ministry of the Environment does have a sustainable forest development strategy, it has not been developed in consultation with Indigenous Peoples and other local actors. Furthermore, CONAIE leaders point out that the strategy is focused on the timber industry. This could generate conflicts in the future.

Either way, it is evident that consensus on a plan for the management of Ecuador's forests is a distant prospect. For this reason, the different nationalities, peoples and local communities themselves should look for mechanisms and strategies to avoid deforestation and to strengthen their traditional ways of managing their territories and forests.

Of all the interviewees questioned during this monitoring process, including at the national workshop carried out in the city of Quito in November 2007, only one person knew of the CBD/POW and another had listened to a broadcast about it once on the radio.

Surprisingly, even those government authorities in charge of forests did not seem to know of the existence of the CBD/POW. However, a considerable awareness raising effort has now been made by indigenous communities and non-governmental organizations in Ecuador.

If key government officials do not even know about the CBD/POW, it is unlikely that the Ecuadorian Government can or is planning to meet its commitments arising from the CBD/POW. However, it is already clear that the indigenous, local and Afro-Ecuadorian communities have

strengthened their efforts to protect biodiversity from the threats posed by extractive industries.

For example, from the year 2000 on, several of the nationalities and peoples of Ecuador started developing 'plans of life' based on mapping the resources contained within their territories. This has allowed them to organize their territories using technologies like Global Positioning Systems (GPS) among others.

A further example is the claim by the Sarayacu People demanding that the government respect their traditional ways of coexisting with the forest and managing their territory. This struggle resulted in the protection of their territory (approximately 200,000 ha of tropical moist forest) and those of neighboring communities.

Indigenous peoples and NGOs have also been successful in persuading the Government to set aside some areas as 'intangibles zones' – free of logging and oil extraction - to allow the Tagaeri and Taromenane Indigenous communities to live in voluntary isolation. Unfortunately, the oil industry can still work at its borders, even within a national park.

The Waorani Nation which occupies three provinces of Ecuadorian Amazonia and owns approximately 700,000 ha of territory, has suffered a series of decisions that affect the free exercise of their ancestral rights, including the creation of the Yasuní National Park and the granting of oil concessions. Amid all this, many leaders continue defending the forests that they have managed both traditionally and with the support of modern technologies. This is essential to ensure the survival of their peoples. The State, however, continues to promote and fund the continued exploitation of forest resources.

Some government officials also claim that national forest policies are a "failure" and nothing more than "papers" because of lack of resources and appropriate personnel. They recognize that their actions are limited to a couple of road check points. Ordinance N419, which bans logging in certain areas in an effort to protect some highly valued forests, has also failed, according to the same authorities.

The indigenous leaders were very surprised when they found out about Ecuador's obligations under the Convention on Biological Diversity; and even more so by the lack of knowledge demonstrated by the government officials interviewed.

In conclusion, if Indigenous Peoples own 80% of the forests in Ecuador, and are clearly more willing and able to protect those forests than governmental authorities, they should be granted full participation in the various relevant policy and decision-making spaces. With the celebration of the Constituent Assembly in Ecuador and the ratification of indigenous territorial jurisdictions, Ecuador's forests could finally be protected.

❖ Mexico

While numerous actors involved in forest conservation and sustainable use in Mexico were consulted, only the official focal point for the CBD had any relevant information and only a handful of non-governmental actors seem to know of the existence of the CBD/POW.

However, the Government of Mexico, through its Secretariat for the Environment and Natural Resources, has made it clear that they do not necessarily agree with key elements in the CBD/POW.

For instance, they consider the Ecosystem Approach, as described by the CBD, to be the wrong approach, on the basis that ecosystems are difficult to define. Their preferred approach is one based on watersheds. However, the watershed approach is not well defined in Mexican legislation either. Paradoxically, the Ecosystem Approach is already mentioned in important Mexican legal and technical documents.

Also, with regard to CBD/POW Element 1 (Direct Actions for Planning, Selecting, Establishing, Strengthening, and Managing Protected Area Systems and Sites), Mexican legislation and policy only provide a general framework for minimizing the risks of introducing exotic species. These measures do indeed correspond to the CBD/POW.

However, Mexico has suffered the effects of invasions (at the genetic level) of transgenic maize pollen from the USA, contaminating the centre of origin of that species in the area of Oaxaca. Cases like this are likely to happen repeatedly, since the USA promotes the unregulated use of transgenic material, including genetically modified tree species.

Furthermore, the Proarbol Programme, held up by the Mexican Government as a tool for mitigating climate change impacts, promotes the wholesale plantation of trees with no attention to ecological constraints.



*In Oaxaca, Mexico
Photo: Orin Langelle*



*Torosverde in Chiapas, Mexico
Photo: Orin Langelle*

These are examples of the contradictions which exist in the current Mexican context. On one hand, the authorities in charge claim to have a viable alternative to the Ecosystem Approach: on the other hand, they promote a series of risky environmental activities which will have adverse impacts on the environment and Indigenous Peoples.

❖ **Panama**

The study in Panama focused on the implementation of the CBD/POW and its impacts on Indigenous Peoples' territories in that country.

The Republic of Panama consists of nine Provinces and five 'Comarcas' (Indigenous Peoples' territories) which are autonomously administered. These territories include most of the country's forests.

Panama is undergoing a period of high economic growth at present. The challenges posed by globalization, trade liberalization and free trade agreements constitute a fierce obstacle to attaining sustainable development and the conservation of biological diversity.

The current Government (2004-2009) has devised a social and economic development plan based on four pillars, namely: (a) poverty reduction and better distribution of income; (b) job creation; (c) human capital development; and (d) reform and modernization of the State. Indigenous Peoples' participation in this process is only just beginning to develop though.

Panama has high levels of biodiversity. With twelve life zones, including the legendary Darien, the country has the potential to develop sustainable ways of using its natural wealth, taking advantage of the vast indigenous knowledge harbored in its diverse native population.

Forests are rich in resources and for that reason they are always under pressure from those seeking to exploit their resources. In the past, these activities have pushed the country's forests to near collapse, particularly with respect to precious native woods. Most of the remaining forests are located on Indigenous Peoples' territories, and thus most of the forest biological diversity is too.

Panama's Indigenous Peoples, however, do not enjoy an easy situation these days. They are the poorest people in the country and their children are the most malnourished.

The Government of Panama, represented by the National Environment Authority (ANAM), has not directly implemented the CBD/POW. Rather, it bases all its efforts relating to forest management and conservation on its National Sustainable Forest Development Plan (PNDFS), which was elaborated collaboratively with the UN Food and Agriculture Organization (FAO).

The plan epitomizes the Government's preoccupation with deforestation. Its emphasis is on an incremental production in goods and services and on the management of forest protected areas. It gives only marginal consideration to issues like biodiversity conservation and the role of traditional knowledge in conservation and the sustainable use of forest biological diversity.

Nevertheless, many of the actors approached during the independent monitoring process in Panama think that the PNDFS has the potential to - and in some cases does - implement many elements of the CBD/POW, particularly the Ecosystem Approach. The role of Indigenous Peoples in these activities is, however, unclear.

In concluding, it is possible to affirm that the Indigenous Peoples of Panama do not know of the CBD/POW and that the Government is not implementing it directly. Nonetheless, there are expressions of interest by key actors in utilizing this tool in the near future.

The main concerns of the Indigenous Peoples of Panama would be how to tackle the underlying causes of forest loss and degradation and how to adapt and harmonize proper definitions in the forest management sphere, with the aim of re-orienting the valuable developments and perspectives of official forest sector policies, towards the rights and knowledge of the country's Indigenous Peoples and the CBD/POW.

❖ Paraguay

Paraguay is separated into two large physical regions: the Western or Chaco region, covering 61% of the land surface, with less than 3% of the population; and the Oriental Region, with 39% of the territory and 97% of the population. Forest types occurring in the country range from humid semi-deciduous to dry xerophytic.

The distribution of land is reported to be extremely unequal. 80% of land owners hold just 5% of the total land surface, mostly in fields of less than 20 ha. On the other hand, 80% of the land is owned by less than 1% of the land owners, in holdings exceeding 1,000 ha.

The development model implemented in Paraguay is based on the intensive and generally unsustainable exploitation of natural resources.



*Forest in Paraguay
Photo: Simone Lovera*

The lack of any real land reform process that redistributes land and ensures the settlement of the rural population can be singled out as the main cause of deforestation in the last two decades.

Aboriginal people, who pre-occupied all of Paraguay's territory, are now reduced to living on a little over 10,000km², mainly in various land fragments in the Chaco which have little viability for the human population.

The rapid expansion of soy cultivation in the Eastern Region over the last decade has claimed most of the forests - mainly privately owned - to the point where there is now just some 700,000 ha standing, in fragments of all sizes. This has caused innumerable disturbances, including changes in rainfall and temperature patterns.

Agribusiness plans to increase the area under soy cultivation from 2.5 million to 4 million ha. They have received a major financial boost from the current agrofuels bonanza; and soy growers are ready to take over not only the forest areas but cattle-ranching land as well (which is owned by the traditional landed oligarchy ruling the Paraguayan countryside since colonial times).

This situation is triggering radical socioeconomic changes in the country, which an indolent official sector seems unwilling or unable to do anything about. In this scenario, the government's ability to implement the CBD/POW is hampered by practical problems related to land control, as about 90% of the land is privately owned.

The consequences for Indigenous Peoples are devastating, as land is being progressively claimed by mechanized agriculture. Prices have ascended to levels at which agrarian reform that devolves land to Indigenous Peoples is becoming more and more unlikely. This is also regretful since Indigenous Peoples' territories are some of the very areas in which forests have been most successfully conserved, thus proving the value of indigenous forest management practices.

Nevertheless, many initiatives taken by the Paraguayan Government are in line with the objectives of the CBD/POW, and they do clearly translate the objectives of the CBD, mainly in the field of forest conservation.

For instance, in 2004, Law 2,524, better known as the "*Zero Deforestation Law*" was enacted. This law was highly successful in combating deforestation in the Eastern Region, with a reduction of up to 85% being attained over a two year implementation period. Unfortunately this law expires at the end of 2008 and the positive effects it has had on forest conservation could be undone.

Most sectors of the country's society, especially Indigenous Peoples, NGOs and the social and peasant movements, agree that the Zero Deforestation Law must be maintained and even expanded, to cover the whole of the country. This is because the Chaco is also being deforested at alarming rates, to accommodate displaced cattle ranching activities.

Most experts in Paraguay agree that the Zero Deforestation Law was sound policy that complies with the CBD/POW and that despite shortcomings in its implementation it constitutes a key element in the preservation of the remnants of forest biodiversity in Paraguay.

Regrettably, no restoration or reforestation efforts - in line with the Ecosystem Approach enshrined in the CBD/POW (Programme Element 1) - have been put in place. All tree-planting activities are devoted to the monocultural cultivation of fast-growing exotic species, predominantly *Eucaliptus spp.*

The application of the Ecosystem Approach would complement the Paraguayan authorities' efforts to halt forest loss, by expanding the area occupied by original forest habitats, thus providing new areas which would supplement the viability and stability of existing stands.

Another set of problems facing forests in Paraguay relates to weak institutional structures that hamper the application of laws and regulations relating to forest conservation and

management. This includes the National Environment System (SISNAM), the National Environment Council (CONAM) and the National Secretariat for the Environment, even though they formally create a rather good regulatory framework dealing with environmental matters. This lack is made obvious by the many cases of permits and approvals to undertake land use change and planned deforestation that have been granted.

The persistent problem of corruption also renders legal arrangements obsolete in many cases. Moreover, legal penalties for environmental crimes are far too low, and there is a lack of funding for law enforcement.

EURASIA

❖ Bangladesh¹

According to FAO, "*Forests in Bangladesh are declining at an alarming rate.*" FAO also states that 16% of Bangladesh's territory is designated as government or village forest, but 60% of this is in fact already-denuded lands (grassland, scrubland and encroached areas). About 24,000 ha of forest is lost annually as a result of homestead development, urbanization and deforestation.

However, Bangladesh, located in the humid tropical region, is rich in species diversity and is described by FAO as being "*unique in the diversity of genetic resources compared to its land area.*" Bangladesh's forest genetic resources are clearly in crisis.

Like many countries, Bangladesh has made some attempts to introduce parts of the Expanded Programme of Work on forests, especially around the conservation of forest genetic resources. This has been somewhat complicated by the late development of a National Biodiversity Strategy Action Plan and by a long-established practice of plantation timber production.



*Kaptai National Park, a semi evergreen forest in the South-East of Bangladesh
Photo: Suprio Chakma*

FAO states that *in situ* conservation is carried out in four different areas. The first of these is nature reserves. However, Bangladesh has no nature reserves. It does, however, have four national parks, fourteen wildlife sanctuaries and one World Heritage site (the Sundarbans). There are also some *ex situ* conservation activities undertaken, including by the Bangladesh Forestry Research Institute.

¹ Extra resources sourced include FAO Corporate Document on State of Forest Genetic Resources Conservation and Management in Bangladesh, FAO, January 2008)

However, there is little if any evidence of any effective implementation of the Ecosystem Approach to conservation. In fact reliance on protected areas, together with a continuing dependence on plantation timber production areas, would suggest a strong scientific forestry paradigm dominates forest policy in Bangladesh.

On the issue of Indigenous participation, there is little evidence of the involvement of traditional communities in the planning and implementation stage of conservation. In fact, reliance on protected areas has seen a slight reversal of indigenous rights in relation to the gathering of fuel wood within these areas. Again, there is little evidence of the use of indigenous methodologies within the forest conservation industry.

While there is still clear evidence of ongoing forest conversion, with a strong plantation timber production industry, there is also some evidence of a shift in attitude to the role that forests play in terms of climate mitigation. This is a country in South East Asia, a region hit very hard by the tsunami that killed a quarter of a million people in the region. While spared the worst impacts of that particular disaster, Bangladesh is acutely aware of its own history of flood-related disasters and there is evidence of some attempts to restore mangrove swamp forests, particularly in lower lying regions.

The report details many recommendations (and many of them are applicable to all of the countries studied). In particular, Bangladesh needs to:

- Implement a Strategic Forest Management plan.
- Halt clear-felling and maintain existing forest lands.
- Implement an ecosystem approach to the protection of forest genetic resources.
- Maintain or introduce biological corridors and buffer zones, prevent fragmentation of land blocks and ecosystems (through effective forest conservation planning processes and by expanding protected areas), and ensure that community conserved areas are also eligible for government funding.
- Develop restoration programs in conjunction with local communities and involve Indigenous peoples and traditional communities and other stakeholders at all levels of planning and decision making.
- Halt the continued introduction of alien species; and analyse alien species already resident in the country and their impacts, with a view to remedial action in the future.
- Strengthen forest monitoring, research and development, education, and capacity-building programs
- Identify and stop corruption (where it exists).

❖ **Nepal**

Nepal has to overcome impoverishment on several fronts. Whilst the incidence of poverty has come down from 38% of the population in 2005, to 24.1% (because of increased remittances), 95% of the population still living in poverty are rural, 71% are illiterate and 51% have less than 1ha of farmland on which to live. Poverty reduction is difficult because of a huge rural/urban disparity and feeble institutional capacity.

Several government policies and guidelines deal with the sustainable use of forests for the economic development and well being of poorer rural communities. Biodiversity is sustained in five key areas: forests, water bodies, rangeland, agriculture and livestock genetics. Although forests provide both biological wealth and sustenance to Nepal's populace, Nepal's 29% forest cover is hard to maintain. Agriculture is the foundation of the national economy, accounting for 40% of GDP, and provides the livelihood for an estimated 80% of the population. Deficiencies in the conservation of biodiversity primarily stem from both the forestry and agriculture sectors because their conservation strategies in relation to biological resources are neither cohesive nor comprehensive.

Community forests are the finest examples of forest management regimes. They ensure the protection of rights, the upholding of responsibilities and the sharing of benefits. However,

linkages between improved ecosystem health and poverty reduction has not been significant. It has been argued that richer households benefit more from community forests. Development aid agencies have played a key role in supporting the community forestry program.

Although establishment of protected areas (PAs) in Nepal has been progressive, covering 18% of the land, it needs to be visionary to cope with a growing population in the buffer zone; the fact that PAs harbor endangered species; and the fact that risk and crisis management will become an integral part of conservation. Strong linkages between academia, institutions and government agencies to improve information for management, are much needed. As PAs are isolated conservation units, the landscape level approach is a new and untested dimension to biodiversity conservation in Nepal.



*Nepal: high altitude forest
Photo: Pralad Yonzon*

The forestry sectors contribute to the Millennium Development Goals. Also, over 50% of all tourists visit protected areas. Policy change and alternative approaches to the privately owned ecotourism industry may redirect an appreciable amount of revenue to local development and strengthen local guardianship to protect forest and endangered species.

For the future, forest biodiversity in Nepal will have to be guided by good governance, forest tenure, benefit sharing, capacity building, adaptive policies and collaborative partnership. These vital aspects of forestry, need to be monitored independently to ensure long-term biodiversity conservation.

❖ **Indonesia**

While the government of Indonesia claims a leading role in forest processes at the international level - including by hosting UN meetings and initiatives such as UNCBD COP-2 in November 1995 in Jakarta, the UNFF-CLI, February 2007 in Bali, and the UNFCCC COP-13, in December 2007 - the fact is that forests in Indonesia continue to disappear at alarming rates and the CBD/POW is virtually impossible to implement.

According to interviews with several government officials, both at national and local levels, there are several reasons why this happens.

Reasons at the national and local level

1. Competition between the Department of Forestry, Department of Agriculture, Department of Environment, Department of Trade, and the Department of Finance. All of these departments have an interest in forests.
2. Competition between central and local government. Central government continues to issue logging licenses to timber companies at the national and local levels, while the local government also issues licenses at the local level.

3. The government's claim to own all forests in Indonesia, in contrast to the local and Indigenous Peoples' claim to the forest they inhabit. There are hundreds of conflicts between Indigenous Peoples on one side, and local and central government and the logging companies, on the other.

The Environment Department (the institution in charge of the implementation of the CBD/POW), is unable to ensure that the other governmental departments implement or even integrate the principles of the CBD/POW into their policies and actions. In this scenario, the Programme of Work is most unlikely to be implemented and, if it were, actions would most probably be restricted to a handful of protected areas. It is also unlikely that there would be any formal link to the CBD/POW.

Reasons at the international level



Recently, the expansion of palm oil plantations, to produce feedstock for the production of agrofuels, has become the major threat to Indonesian forests. On basis of interviews with several government officials and private sector representatives, it has become clear that the impetus of this activity has the potential to eradicate Indonesia's remaining forests, and as a consequence, Indonesia's forest peoples.

Many people wrongly believe that agrofuels are beneficial for the climate and that planting crops like palm oil for agrofuels is good for the environment and brings abundant income to the communities. In this regard, Indonesia has for many years been one of the world's largest producers of crude palm oil (CPO). To fulfill international demand for CPO the Indonesian government decided to convert millions of hectares of forests to palm oil plantation. The government of Indonesia hopes to beat Malaysia and become the world's number one CPO producer. This will mean cutting down millions more hectares of forest. The government has signed multi-million dollar contracts for the expansion of palm oil plantations with European Union and United States concerns.

The adverse effects of this competitive strategy - on all Indonesians, Indigenous and non-indigenous alike - is that while most of the remaining forest, which is owned by Indigenous Peoples, is destroyed, most of the CPO goes to fulfill international demand, largely for agrofuels. This results in sharp price increases for cooking oil, which is a key source of nourishment for the poor population, including Indigenous and local peoples in Indonesia.



Overall, we can conclude that the implementation of the CBD/POW, or equivalent actions and policies in Indonesia, is unlikely in the face of other sectoral concerns. More seriously still, there is no interest in stopping deforestation and forest degradation, beyond those actions relating to protected areas. This will not be sufficient to comply with the CBD/POW .

❖ Bulgaria

Bulgaria is situated on the Balkan Peninsula in South-eastern Europe. Due to its varied climate and topography, it has a rich and unique biological diversity in spite of its small area.

At present, Bulgarian forests account for 34% of its territory². Natural forests account for 76.4% of forest area, while plantations occupy 26.6%. The average age of the forests is around 55 years.

As stated by the National Strategy for Sustainable Development of the Forest Sector in Bulgaria 2006-2015 *"The Bulgarian forest resource contains environmental values, which are unique in European and even global terms. Bulgarian forests are home to over 80% of the protected plants; over 60% of the animals threatened with extinction; over 60% of the priorities for protection habitats; the populations of 43 world endangered species. In order to protect this diversity 3 National Parks, 10 Nature Parks, 55 reserves and 35 maintained reserves have been established."*

Since 1995, a long restitution process has been underway, transferring ownership of the forests to non-state entities. However, at the end of 2006, about 76.8% of the forest area was still in state ownership.



*Gudevica Rhodope
photo: Georgi Ekov*



*Beech forests in Balkan
photo: Georgi Ekov*

Management of state forests and the control of all forests were, until July 2007, the responsibility of the National Forestry Board (NFB), under the jurisdiction of the Ministry of Agriculture and Forests. However, in July 2007, the Council of Ministers decided to restructure the National Forestry Board, changing it into a State Forest Agency (SFA) with its own budget and resources, under the direct jurisdiction of the Council of Ministers. The SFA is supposed to become financially independent at the beginning of 2008. Amendments to the Law on Forests are also envisaged.

The Convention on Biological Diversity came into force in the country on 16 July 1996.

The main identified causes of forest biodiversity loss and degradation in Bulgaria include forest fires; human-induced, illegal and unsustainable use and overexploitation of forest resources; lack of government policy; lack of control of illegal forest activities and weak penalties for forest crimes; corruption; the existence of a grey economy in the forest sector; prevalent economic interests; lack of public awareness and understanding on the value of forests and forest biological diversity; and land use changes (especially in relation to protected forests). Political and socio-economic causes outweigh ecological ones.

A constant trend of loss of traditions can also be observed. Local people are losing interest in preserving traditions relating to the conservation and sustainable use of the forest and its biodiversity.

Although there are a number of strategic documents addressing biodiversity, there is no national document assessing gaps in forest biodiversity policy. The information is scattered among the other documents: it is difficult to find and use, and hard to gain an overall idea of the situation or assess what future activities might be necessary. The review of Bulgarian sectoral policy documents also confirmed that forest biodiversity concerns are not incorporated into sectoral policies.

² Source of statistical information on forests in this report is Bulgarian Agrarian Report 2006, Part V Forestry.

The results of the national workshop proved that there is an emerging need to discuss forest biodiversity issues and to find appropriate solutions for conservation and sustainable use of Bulgarian forest biodiversity.

Lack of information on the CBD POW at the regional and local levels and lack of official commitment to the Programme, by the responsible government institutions, are the main obstacles to the effective implementation of the CBD POW in Bulgaria.

The responsible state authorities are aware of the existence of the CBD POW, however. The National Nature Protection Service within the Environment Ministry is a focal point for the Convention on Biological Diversity. As such, it receives and is supposed to disseminate information on the Convention and its specific thematic issues (eg. forest biodiversity) to interested parties at the national level.

The implementation of CBD POW is almost impossible in Bulgaria at the moment, because economic interests are determining forest-related policy decisions; and public awareness of the value of forest biological diversity is very low. The CBD POW implementation is on a voluntary basis and is not a priority issue for the Government. Due to some other reasons as well (eg. lack of resources, partial implementation of some of the CBD POW objectives through other similar instruments, and other more important tasks to be implemented in connection to Bulgarian accession to the EU) the CBD POW is not included in the immediate tasks of the state institutions.

This explains why the CBD POW is not popular in Bulgaria and why the stakeholders on the regional and local level are not aware of its existence. No official process for its implementation is in place and no public consultations on it have been carried out.

However, the results of the research do show that some objectives of the CBD POW have already been implemented in Bulgaria, through other processes and mechanisms (eg. the establishment of the Natura 2000 network of protected zones, FSC forest certification).

In concluding, the study recommends the following, in relation to the future implementation of the CBD POW in Bulgaria:

- An official implementation of the CBD POW should start as soon as possible in Bulgaria in order to contribute to halting the loss of forest biological diversity.
- The government should officially assign clear responsibilities for its implementation to one or more institutions.
- The objectives of the CBD POW should be integrated into other sectoral policies such as the economy, energy and education.
- A process on the implementation of the CBD POW on regional and local levels should be initiated through the development of working groups involving representatives of different interested parties.
- All relevant stakeholders including local communities have to be included in this process through different mechanisms, such as awareness campaigns, public consultations, informative meetings on the regional and local levels, etc. This is one of the most important premises for the successful implementation of the CBD POW.
- The objectives of the CBD POW should be broadly promoted to the public.
- Awareness campaigns should prioritize targeting younger generations.
- Regular monitoring and reports to the CBD Secretariat should be encouraged; stronger commitment from the CBD Secretariat is also a premise for efficient implementation on the national level.

❖ Georgia

Georgia is part of the Caucasus, one of the Global 200 eco-regions of critical importance for the conservation of the world's biodiversity. For the same reason, it is also considered to be one of 34 biodiversity 'hotspots'.

Georgia is rich in forests, which cover 40.6% of the country. However, the density of forests is decreasing and the current average density has now reached a critical threshold, at 55% of the total area of its forests. Such forests have significantly decreased protective functions and lose their ability to regenerate adequately, ultimately affecting the biological sustainability of forests and the overall ecological situation in Georgia.



In Georgia, all forests, the land on which they grow, and all resources on or under the land are owned by the State. The Ministry of Environmental Protection and Natural Resources (MEPNR) undertakes management of almost all forests (with the exception of some minor areas (about 8%) which in Soviet times belonged to former collective farms and are currently under consideration for allocation to Local Governing Bodies). Forests which are within Protected Areas are managed by the Department of Protected Areas. Unfortunately, there seems to be a lack of coordination between the structures involved.

*Kharagauli near Borjomi-Kharagauli National Park
Photo: Merab Machavariani*

Different international institutions are actively involved in developing environmental projects in Georgia, including to protect biodiversity. These include the Global Environment Facility, the World Bank, the United Nations Development Programme, Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), the Food and Agriculture Organization, US AID and the French Development Agency.

There is a trend towards the introduction of market-based conservation initiatives focusing on the multipurpose utilization of forest resources, in order to gain economic benefits from the forest sector with lower resource extraction levels (eg non-wood forest products, tourism and recreation, hunting). However, timber utilization is still the main economic activity within the forest sector.

Environmental management in Georgia might be divided into two periods: before and after the 'Rose Revolution' in November 2003.

The first period was characterized by the establishment of new institutional and legal systems following the break up of the Soviet Union. In this period Georgia joined several major international treaties and conventions. The CBD was one of the first of these, and Georgia ratified it in 1994. This was a period when basic environmental principles were officially recognized.

The second period has been characterized by significant changes in the number of state agencies. Almost all the previously independent state institutions dealing with the management of natural resources are now under the umbrella of the Ministry of Environmental Protection and Natural Resources (MEPNR).

It might be concluded that these changes have both positive and negative aspects. The merging of institutions with similar functions, the establishment of an environment inspectorate, the introduction of auctions for licensing, the issuing of long-term licenses and decisions to introduce an FSC-system can all be considered positive events. On the other hand, it is clear that public involvement in decision-making processes and the establishment of environmental requirements as preconditions for significant decisions are weakening. Economic interests are prevailing over ecological concerns, and the number of professionals involved in

the sector has been significantly reduced. Many environmental problems still exist, although there has been some decrease in illegal logging and poaching.

There have been no significant changes to the situation in Georgia following the inception of the CBD/POW. As is clear from our research, CBD provisions and its decisions, as expressed in different program documents, do not seem to have played any significant role in decisions that have been made by the Government, so it will be difficult to assess the direct impact of the CBD/POW on people living in and near forests.

❖ Germany

Forests cover nearly a third of Germany. In the last 20 years that area has gone up slightly, but its composition is far from natural. Originally, Germany's forests were primarily deciduous: today 62% are coniferous.

For over 200 years German foresters played a significant part in developing the concept of 'sustainable' forestry. However, for most of that time sustainability was considered only in terms of forest area and timber production. As a result, 27% of Germany's 'forests' are monocultures and additionally, large areas are composed of only a few species.



*Natural regeneration in spruce forest
Photo: Wolfgang Kuhlmann*

Long before the elaboration of the Expanded Programme of Work on Forest Biodiversity of the Convention on Biological Diversity (CBD/POW) the federal states (Länder) introduced ecological management rules for the state forest authorities, which are relevant to the aims of the POW. These are not binding for private forest owners, however, who own nearly half of Germany's forests.

To implement the CBD/POW, the German government supports numerous activities abroad. German development aid supports the elaboration of National Forest Programmes in 20 countries, for example. However, Germany's domestic efforts have been much weaker.

The CBD/POW is hardly known by anybody outside those government agencies directly involved in CBD and UNFF-related activities. Reports on CBD/POW implementation refer primarily to ongoing activities that started well before 2002.

New activities aimed at improving forest biodiversity in Germany are either lacking or insufficient (although a couple of new studies have been initiated).

Activities within Germany are limited to ongoing programs:

National Forest Programme

Nine years after the start of the German National Forest Programme, the only result is a list of 180 recommendations for action, none of which have received due political attention. As long as the recommendations of this body are not translated into binding activities within a binding

time frame, the National Forest Programme cannot be expected to contribute anything of note towards achieving the goals of the CBD/POW.

Federal Forest Act

Plans to amend the Federal Forest Act, initiated in 2004, have not been pursued by the current government. An opportunity to frame minimum standards which are applicable in all federal states, to bring forestry closer to nature, has thus been missed. Due to the resistance of forest and timber trade associations, the attempt has failed to focus funding from the '*Joint Taskforce for the Improvement of Agricultural Structures and Coastal Protection*' on forestry close to nature. Instead the Government supports a '*Charta for Wood*', which demands an increase in timber consumption, but fails to mention any activities related to forest biodiversity.

Old-growth Protection Act / FLEGT

To keep illegally-logged timber off the German market, the Federal Government is banking primarily on voluntary commitments by the timber trade. When it rejected the Old-growth Protection Act, the Federal Government rejected an option that would allow it to introduce national regulations. Instead they opted for European activities within the context of FLEGT (Forest Law Enforcement, Governance and Trade). However, this excludes a large part of the global timber market as, for the time being, partnership agreements have only been negotiated with five countries (Malaysia, Indonesia, Ghana, Congo-Brazzaville and Cameroon). As these negotiations are not expected to make anything more than slow progress in the foreseeable future, no change in the status quo can be expected under this banner.

Impact of pollutants

Since 2002, the area of forest with visible crown defoliation has increased. However, since the coming into force of the CBD/POW, no further action has been taken to improve the situation.

The fact that the Ministry responsible for consumer protection, food and agriculture announced that the National Forest Condition Survey will only be published every four years (instead of annually) indicates that there is no reason to expect any progressive developments in the near future.

To improve the implementation of the Expanded Programme of Work on Forest Biodiversity, German NGOs demand the following activities:

- Germany has to take into account its international responsibility to conserve forest biodiversity and to implement the CBD/ POW. This includes long-term activities to conserve beech forest ecosystems; increasing the forest area that is not used for timber production to at least 10%; and adopting international regulations for the protection of old-growth forests. This has to be accompanied by a substantial increase in funding by federal government and Länder.
- Minimum standards bringing forestry closer to nature have to be specified in the Federal Forest Act and the forest acts of the Länder as legally binding principles for proper forestry.
- Federal and Länder funding for forestry should put a stronger focus on the social and ecological benefits of forests. It should only be granted if minimum standards of the pertinent laws have been met and exceeded. A trustworthy certification system is needed to serve as a control mechanism.
- Federal and Länder hunting acts have to be amended, taking into account ecological imperatives.
- Measures for nature conservation that exceed legal regulations should be funded by the Länder in the framework of contractual nature protection.
- The privatization of forests has to be stopped. People and their parliamentary representatives need to have a direct influence on forest use and conservation.
- Annual monitoring of the condition of Germany's forests, as well as the decennial federal forest inventory, must include ecological parameters.
- Emissions impacting on forests have to be reduced through coherent clean-air policies.

- The forest sector has to take further measures to adapt to the results of climate change, especially through a change to mixed forests and by ensuring a broad genetic diversity of tree species.

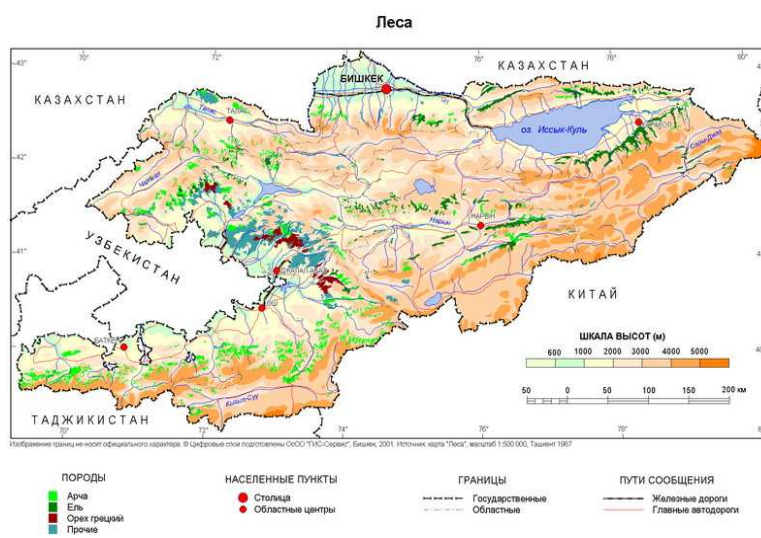
❖ **Kyrgyzstan**

Kyrgyzstan is a high mountain country with a complex topography. Over 90% of the territory is covered by mountains with an altitude ranging from 500m to 7,134m above sea level.

Kyrgyzstan's forests are wonderfully beautiful and diverse. Spruce, *Abies* species, juniper, walnut, pistachio, maple, poplar, willow and birch forests are widespread here. But juniper, spruce and walnut forests take up the largest area.

In spite of the fact that Kyrgyzstan's forests cover only 4.25% percent of the republic's area, they contain about half the country's total biodiversity.

With its mountainous landscape, Kyrgyzstan has insufficient arable land. At the same time, most of its people are involved in agriculture and stock-breeding. At the beginning of the 1990s, a land reform process was launched, reorganising collective farms and permitting the private ownership of land. During 2000–2005, the land reform project was implemented with support from USAID, creating conditions for a land market. The main share of the State Forestry Fund (89.9%) belongs to the State Forestry Agency. It has 2,833.6 thousand ha of Forestry Fund, which is 14.2% of total area of the republic.



The current discussion about forests is especially urgent for Kyrgyzstan. Firstly, because forest degradation and deforestation is increasing and, secondly, because forests are a strategic resource for Kyrgyzstan. They are the national wealth of the people, they are state property, and they play a big role in the development of the economy and improvement of the environment. They also have a beneficial influence on climate, atmosphere and the water regime in rivers, and protect soil from wind and water erosion.

All Kyrgyzstan's forests are under national protection, according to the Forestry Code. Nowadays, the Kyrgyz Republic faces the conflicting requirements of maximizing forest production, since demand is very high, and preserving the country's forests for the ecological goods and services they provide. In addition it is necessary to find ways of integrating local communities into stable forest management processes.

Prior to implementation of the CBD/POW in Kyrgyzstan, forest management by the state was based on a four-tiered management system, the tiers being the republic, oblast, leskhoz and forest units. Forestry Fund management functions (inventory, account and control) and economic functions (cultivation, plantation and protection) were combined in the leskhoz and forest units, leading to conflict.

Resolution № 256, relating to Forestry Sector Development up until 2025, was approved on 14 April 2004. It focuses on transitioning to a new system of sustainable forest management. The National Action Plan on Forestry Development for 2006-2010 (approved 27 September 2006,

Resolution №693), envisages improvement of the forest management system through separation of the controlling/regulating and economic functions.



*Nuciferous forest in Sary-Chelek protection area,
Photo: Domashov Iliia (BIOM)*

Since 1998, Kyrgyzstan has been committed to conserving biological diversity in accordance with the National Action Plan on the Conservation of Biological Diversity. During the last decade, changes have been made to the forestry sector of Kyrgyzstan, which can be considered an important step towards the further development of forestry policy.

However, in spite of the official data showing an increased percentage of forested land in the country, forest experts say there is actually a trend in the opposite direction. Also, forest protection is getting weaker, because of the effective delegation of protection functions from leskhozes (state forestry enterprises) to the local population.

Furthermore, the statistical assessment that has been made does not take into account any changes to the quality of the forests and whether or not natural ecosystems are deteriorating. Also, there is still a degree of conflict in relation to local populations' access to forests' natural wood and non-wood resources. This conflict is associated with the privatised land-holdings, whose owners also expect to benefit from forest resources.

❖ **The Netherlands**

The Kingdom of the Netherlands is a federation of three countries: the Netherlands in Europe and the Netherlands Antilles and Aruba in the Caribbean.

The Netherlands in Europe is a densely populated country with 400 inhabitants per km². Forest cover (using the FAO's definition, which includes plantations) is 360,000 ha, or 10.6% of the country. However, most of it consists of plantations of exotic species. Only 100,000 ha are mixed broadleaved forests. Of these, only 3,000 ha are strictly protected Forest Reserves not to be used for economic purposes.

While forest management is very professional and two fifths of the Dutch forests are certified, the Netherlands have lost virtually all their natural forest and forest cover is barely increasing.

Whereas the government claims that the implementation of the CBD/POW in the Netherlands does not require any additional policy measures "*as the Netherlands already complies with the CBD*", the Natuurbalans 2007 (Nature Balance, an annual nature monitoring report by the Nature and Environment Planning Bureau) states that it is highly unlikely the Netherlands will comply with the commitment of the European Union to halt further biodiversity loss by 2010. Key forest species are still severely threatened. Plantations and secondary forests suffer from nitrate deposition, drought stress and habitat fragmentation. There is an active policy to encourage more mixed and broadleaved forests and to leave more dead wood in the forest, but the degree of human impact on the countryside is still significant, probably amongst the highest

in the world. The Natuurbalans also states that establishment of the Dutch Ecological Network, a cornerstone of national biodiversity conservation policy, according to the Dutch Government, suffers serious delays; and that it might not be finalized until 2025 or even later.

The slow rate of restoration of natural forest is caused by lack of political will, a strong agricultural lobby, and the fact that every square kilometre in the Netherlands is inhabited and mainly privately owned. Water is intensively managed and forests are interrupted by roads and infrastructure. So, restoration is not simply a matter of setting aside an area of wilderness.

Three additional cases came up where the Kingdom of the Netherlands ignored CBD requirements:

- One concerns the rules relating to emissions of ammonia around sensitive natural areas. The Netherlands decided to apply a minimal buffer zone, despite the serious negative impacts on forests.
- Another concerns the deforestation of a forested area near a military airfield, where the Netherlands acted against the will of the local population.
- The third is on Saba in the Netherlands Antilles, where the last remnant of tropical rain forest in the Kingdom is threatened by the installation of a telephone pole.



*Riverine forest, the Netherlands
Photo: Gerard Grimberg*

It is recommended that the Netherlands should restore its three natural forest types: peat forest, mixed oak forest on sandy soils, and forests alongside rivers. Interconnectivity of the fragmented natural remnants is important. Most of the forest flagship species are extinct. New large wildernesses are needed to provide habitat for these species.

❖ **The Russian Federation**

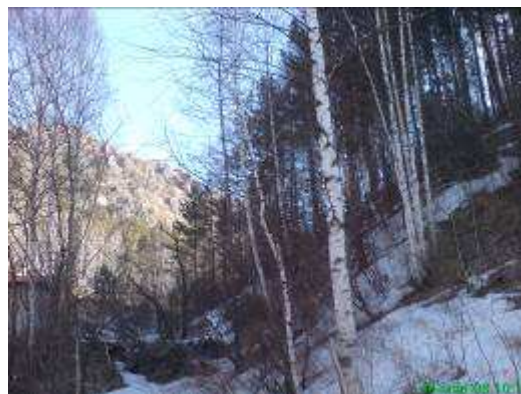
According to FAO, the Russian Federation accounts for more than one-fifth of the world's total area of forests (851 million ha). It is one of the largest producers and exporters of industrial round wood in the world, and exports significant volumes of sawn wood, plywood, pulp and paper. The forests remain state-owned, although the forest industry is almost completely privatized. Non-timber forest products and activities, including hunting and the collection of wild fruits, nuts, mushrooms, herbs and so on, are important for local communities. A large part of the Russian Federation's forests consist of the northern boreal forest, with mixed and broad-leaved forest to the south.

Following on from its existing activities in biodiversity conservation, Russia ratified the CBD in 1995. In view of the cross-sectoral and changeable character of the issue of compliance with obligations under the Convention, the Government also issued a special resolution to establish a Cross-Sectoral Commission for Biological Diversity Conservation. The Commission consists of Deputy Ministers (top managers) of concerned federal executive power bodies, along with representatives of the Russian Academy of Sciences. This body then distributed responsibilities

for the fulfilment of the Convention's obligations among relative ministries and agencies according to their functions.

The Russian Federation Forest Code (1997) established federal ownership of forest lands. Civil legislation and the Forest Code of the Russian Federation also guarantee the right for free access to the forests for all citizens. Forest Fund sites are allowed to be leased, used freely and in the short-term, or granted in concessions to both individuals and organizations. Since 1 January 2007 the right of forest use was transferred from the federal to the regional level.

During the years 2002-2007, Russia has been going through a structural reorganization. Before 2007, there were nearly 3,500 state forest enterprises ('leskhoses') that specialized in logging and processing. According to the new Forest Code (2006) they will all be disbanded. Municipal forest enterprises ('lesnichestva') will replace them. These municipal forest enterprises will be forbidden to cut and process timber, but will manage and protect forests on behalf of the state. There are more than 33 thousand companies, specializing in logging and processing, as well as timber trading and these days almost all forest harvesting operations are privatized.



*Typical mixed birch-pine forests, Krasnoyarsk in Central Siberia, Russia
Photo: Andrey Laletin*

Following the ministerial conference of Europe and Northern Asia countries on forest law enforcement and governance (ENA FLEG), that took place in November 2005 in Saint-Petersburg, the Russian Government has put quite some effort into eliminating illegal logging. Detection, suppression and prevention activities are carried out as part of a joint plan (between nine authorized agencies) intended to fight illegal logging and trade in illegally derived products.

Third party forest certification (through the Forest Stewardship Council (FSC)) has developed rapidly over the last few years. In the middle of 2002 there were only 3 certificates of forest management (covering less than 1 million ha) and only 4 certificates for Chain of Custody. As of 1 May 2007 there were already 43 forest management certificates (covering more than 16.7 million ha) and 50 certificates for Chain of Custody.

Ecotourism is not well developed in Russia. However, over the last five years several groups of Indigenous Peoples have been working together with the Russian Association of Indigenous Peoples of the North (RAIPON) and the Center for Support of Indigenous Peoples of the North (CSIPN) to bring foreign ecotourists to Indigenous communities.

Preparation of the Russian National Biodiversity Conservation Strategy (for 2002-2017) and Action Plan (for 2002-2007) were completed in 2001, and implementation began in 2002. They include the following:

- Development of a system of protected areas in and around the Russian Federation.
- Generation of an integrated system of biodiversity conservation management.
- Improvement of the legislative base.
- Improvement of Russia's international activities in relation to biodiversity conservation.
- Development of ideas concerning open access to biodiversity status information, and the provision of equal access to biological resources.
- Creation of an information space for biodiversity conservation management.
- Improvement of economic and financial mechanisms relating to biodiversity conservation.

However, except for the provision of an information space, none of the other tasks were fulfilled properly.

In 2002, Russian Government also adopted the Concept of Development of Russian Forests for 2003-2010. Many proposals from the CBD/POW were included in that Concept. But hardly any of the experts interviewed could give examples of its actual implementation. Those that were familiar with the Concept were critical of its implementation.

Furthermore, Indigenous Peoples representatives that were interviewed said that the situation in relation to forest protection and Indigenous Peoples' rights had actually deteriorated over the last five years. Government representatives, on the other hand, considered that the same situation had either improved since then or had stayed the same.

Based on the findings of this assessment, it is clear that forests and forest peoples in Russia have not benefited significantly from the CBD/POW.

OCEANIA

❖ Aotearoa/New Zealand

Like most of the countries in the report, Aotearoa has implemented parts of the expanded Programme of Work under various agencies like the Ministry for the Environment and the Department of Conservation. It is hard to distinguish however, which parts of the Programme have been addressed as a result of the country's commitment to the CBD, because of an apparent failure to complete a gap analysis relating to the integration of the Programme.

The indigenous forests of Aotearoa are a mixture of beech, hardwood and podocarp. They have been reduced from an estimated original cover of 80% of the total land mass to just 24%, a level at which they have been relatively stable for several years. Of the total forest cover, around 75% is Government controlled and in the early 1990s, the Labour Alliance Government halted logging within the Government-controlled segment. Major threats to the remaining forests come largely in the form of introduced pests, biosafety concerns and the impacts of plantation timber production. Some 8% of the total land mass is under plantation cover, and some 90% of this consists of a single species (*pinus radiata*).



Cabbage tree
Pureora Forest Park



Flax or swamp flax and referred to by
Māori as harakeke Waitomo, New Zealand

Simple conservation methodologies such as the establishment of protected areas are relied upon very heavily in addressing the National Biodiversity Strategy and Action Plan: New Zealand has one of the largest per capita areas under official protection of any nation.

New Zealand is also heavily dependant on and a leading advocate of the scientific forestry paradigm and as such also has a large network of monoculture plantations (although it is true to say that over the last couple of years there has been some diversification of the planted areas program).

As expected from a country with such a large planted area, New Zealand also has a significant problem with control of both invasive species and introduced pests. Its control program on both of these issues is one of the more controversial elements of its program.

New Zealand does have a fairly strong element of consultation built into its programs, but there has been strong criticism of both the level of capacity-building and the level and nature of its consultation process.

It is also a country with a land settlements process that is in part a response to having a single binding treaty with its Indigenous Peoples. It should be noted that the land settlement process and the conservation process are sometimes in conflict with each other. There is little if any evidence of usage of either indigenous methodologies or the ecosystem approach.

Climate change is also a significant driver of some recent legislative change and Aotearoa is one of those countries with an agrofuel target.

On a more positive note, there is significant involvement of women in the legislative and conservation process, although it should be noted that this is less noticeable when considering the role of Indigenous women. Nevertheless, the most significant contribution to the country's biodiversity and Indigenous programs has come from an Indigenous woman mandated by her tribe as their CBD representative.

❖ **Australia**

The results of the research in Australia suggest spheres of concern relating to the Programme of Work's implementation and the involvement of relevant actors.

While there is some knowledge of the POW/CBD in the relevant policy agencies, and noted in various public policy documents, this is largely in the form of background context, rather than specific policy initiatives.

In the NGO/IPO sector, amongst Traditional Owner groups and within non-profit and conservation campaign actors, knowledge of the POW/CBD is narrow, and largely outside the range of central campaign work on forest biodiversity. This is a distinct gap in relation to national conservation and biodiversity. In and of itself, this signals a lack of appropriate capacity-building amongst stakeholders, by the Australian Government.

There were also some clear indications of concern relating to forest definitions, especially with respect to measurements of forest recovery or deforestation in the absence of an agreed forest definition.

Nevertheless, there is considerable potential for Australia's CBD/POW commitments to be utilized as an important tool for improving national forest biodiversity management, together with increasing knowledge and engagement with other international forest policy processes. However, progress in the area requires greater education, cross-sector communication, resources and monitoring, to enable collaborative action towards implementing international forest biodiversity protection measures.

In terms of forests and climate change, there is some government recognition of the role that forests play in climate mitigation, but this seems strangely at odds with the large scale deforestation of old growth forests happening in some regions of Australia. This was rated as highly important by voters in Australia's recent election, although it remains to be seen whether the change in Government in Australia - and its new commitment to the Kyoto Protocol - will see deforestation rates reversed.

*Mountain Ash (Eucalyptus regnans) forest
Styx Valley, Tasmania, Australia*



❖ Samoa

Samoa is a small island state highly vulnerable to the impacts of both climate change - especially sea level rise and extreme weather events - and climate change mitigation strategies.

The Samoan analysis showed that while there was some general awareness of the expanded Programme of Work, the level of work being undertaken by the Samoan government related to structural changes like the development of a National Biodiversity Strategic Action Plan. The only relevant activities tend to revolve around the reporting elements of the Programme. Like many countries Samoa is doing some work around the conservation of biodiversity and specifically around forest conservation, but there seems to be no integrated action plan that could be said to be addressing the POW.

As a developing nation, Samoa tends to be highly dependant on foreign aid from developed countries, especially New Zealand, Australia and Japan (all members of the JUSCANZ Alliance). It should therefore come as no surprise that Samoa relies heavily on the same scientific paradigm that is prevalent in these three countries.

In considering forest cover, for example, the report refers to a surprising increase in forest cover, but there is no mention of what definition of forests was used in the analysis. Without the source documents it is impossible to judge how much of the increase was due to recovery and how much due to a change in definition. There seems to be little evidence of any attempt to adopt an ecosystem approach to conservation.

On the issue of Indigenous People's involvement it should be noted that as a small Pacific Island State Samoa has a significant majority Indigenous population and did indeed conduct some level of consultation and involvement of community leaders. However, in such a small country it would be hard to develop a program without involving the community in some way. What is not quite so clear is the level of stakeholder capacity-building being undertaken by the government.

Samoa has a strong and well developed network of Protected Areas as its major contribution to forest conservation. However, whilst there is involvement of Indigenous Peoples in the process, there is little evidence of indigenous methodologies being employed.



*Uafato bay in Upolu island, Samoa
Fiu Mataese Elisara*

List of County Monitors

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