



A Global Forest Coalition Newsletter on International Forest Policy

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About Forest Cover

Welcome to the twenty-ninth issue of Forest Cover, the newsletter of the Global Forest Coalition (GFC), a world-wide coalition of non-governmental organizations (NGOs) and Indigenous Peoples Organizations (IPOs). GFC promotes rights-based, socially just and effective forest policies at the international and national level, including through building the capacity of NGOs and IPOs to influence global forest policy. Forest Cover is published four times a year. It features reports on important intergovernmental meetings by different NGOs and IPOs and a calendar of future meetings. The views expressed in this newsletter do not necessarily reflect the views of the Global Forest Coalition, its donors or the editors. For free subscriptions, please contact Yolanda Sikking at:

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Ex Silvis: World Social Forum: Demanding Real change, Not a Quick Fix

By Miguel Lovera, chairperson, Global Forest Coalition, Paraguay

The tragic and violent inequality of the era we live in was again the subject of the World Social Forum (WSF), which seeks to make the world fairer and more democratic by challenging neoliberalism.

The WSF, which met in Belém, Brazil, in January, brought thousands of people from all walks of life together, to tackle injustices that partly stem from the Second World War almost 70 years ago. In this same area of Brazil, thousands were enslaved to tap rubber for the Allies' tires during that war. This war was supposedly fought to liberate the innocent masses from the oppression of totalitarian rule. But an often-overlooked outcome is that it also enslaved citizens of countries that had nothing to do with the conflict, and laid the grounds for the eventual socio-economic colonization of independent societies, such as Brazil.

In Belem, it was evident that few of the benefits enjoyed by those saved by the Allies filtered through to this remote Brazilian region. Instead they got more oppression, ethnic cleansing, deforestation, slums and rural violence. It

was very clear to all those attending the WSF that a new world is necessary and that we have to do all we can to make it possible.

The WSF took place, as it generally does, at the same time as the World Economic Forum (WEF), in Davos, Switzerland. The WEF brings together many of the industrialists who monopolize humanity's assets: far from wanting to build a better world, the Davos crowd is doing everything in its power to make sure things stay as they are – including spending some three trillion dollars waging yet more wars. This is ten times more than the money they keep telling us doesn't exist, when calls for funds to solve the global deforestation crisis, combat malnutrition and malaria, and deliver access to potable water, are costed and presented.

The establishment continues to promote the privatization of wealth and the socialization of losses. This is the very economic model that created the hideous contrast between the increasingly few rich and the ever-growing mass of the poor. This polarization is clear in the various policies adopted worldwide to combat the economic crisis: governments are risking countries' economic stability and the future of their public services to fund unprecedented bail outs for the banking system.

The establishment's take on nature also reveals the sacrosanct status its gives to the market economy these days: nature is being converted into private resources as never before, with little regard for the consequences. This is contributing to rapidly escalating deforestation around the world, as revealed in this year's FAO *State of the World's Forests* report.

Of course, governments are unlikely to admit that social movements were right, and they themselves were wrong. Nevertheless, the current global economic crisis and the inherent unsustainability of the global neoliberal market economy has been predicted by numerous World Social Forums. WSF participants including the Global Forest Coalition have also cautioned that global markets for 'products' like carbon offsets and ecotourism are likely to be extremely unstable and unreliable sources of funding for something as precious as forest conservation.



We, NGOs and Indigenous Peoples' Organizations at the WSF, sent yet another message to the Davos-going bunch, but they do not appear to be listening. They seem to believe that everything will be OK as long as they can recover their money. But perpetuating the economic model that created the current crisis means the only thing we can be certain of is that it will happen again.

This way, the old adage that "*There are none so blind as those who will not see*" may seal the fate of the worlds economies and forests.

World Social Forum: Challenges Met and Challenges Ahead

By Diego Cardona, CENSAT Agua Viva/Friends of the Earth Colombia

Taking part in the World Social Forum gave us the satisfaction of having achieved something important: the Forum was much more than just a meeting of organizations and social movements, it was a space where processes were articulated and concrete actions planned.



One of the many marches that seemingly spontaneously occurred during the WSF.



Woman demonstrate with signs during WSF.



*Family walks by sign warning of "Poisonous Animals."
All photos: Langelle/GJEP-GFC*

The achievements were due to the focusing of wills and efforts to tackle many challenges and tasks, such as putting the brakes on the climate crisis and its false solutions: REDD, carbon markets, clean development mechanisms and the second generation of agrofuels, just to mention a few. Environmentalists, Indigenous People, youth movements and women decided to link together multiple process and campaigns, in different spaces, debates and workshops, to work for Climate and Social Justice, knowing that joining forces is the best way to make progress towards our goals.

At the Forum we drew up climate change-related strategies, proposals and actions and planned for the next Conference of the Parties to the UN Framework Convention on Climate Change in Copenhagen in December.

Equally important was the progress made towards building a closer working relationship between Indigenous People and environmentalists. This is a work in progress that enables us to listen, to learn from the wisdom of Indigenous People and to incorporate it into the process of understanding our reality and working to transform it.



We now face the challenge of transforming our information and analysis into practical tools that organizations, movements and local communities can use when confronted with false solutions, such as REDD.

We need to make progress in framing the debate and analysis in the languages of local communities. In this way we can consider the issue in more depth and gain a deeper understanding of the problems we are dealing with, that too often get reduced to simple questions of economics or land, with little consideration given to the impacts they have on people's lives and cultures. We will be better able to gather and represent the concerns and aspirations of those who are victims of the prevailing economic model and the climate crisis. If we can do that we will have fulfilled one of our aims - to help ensure that those whose voices have been silenced are listened to.



The venue in Amazonia reminded us all of the urgent challenge of keeping the Amazon safe from carbon trading, safe from the privatization of natural heritage and cultures, and safe from the mechanisms of commercialization of life – a challenge not just for Amazonia but for all the world's forests and peoples.

*Some of the Indigenous Peoples from the Amazon region that attended the WSF.
Photo: Langelle/GJEP-GFC*

Can the Amazon Survive False Solutions?

By Hildebrando Velez, executive director, CENSAT Agua Viva/Friends of the Earth Colombia

(this is an excerpt of an article that is published in full at <http://www.globalforestcoalition.org>)

The World Social Forum that took place in the city of Belem do Para, Brazil, had the Amazon as its backdrop: a vast diverse biome hosting one third of the planet's genetic varieties.... Four hundred different groups of Indigenous People live there.

However, the Amazon is also seen as a resource for new biotechnologies, a source of fossil and water energy resources, a major watershed containing 20% of the planet's fresh water and, from the geological standpoint, it is of incalculable value because of its mineral resources. Thus the Amazon is being colonized by the rational discourse of science and will be further colonized by the thirst for 'development' – unless powerful social forces arise from the populations who have lived sustainably in this region for millennia.

The colonization agenda is currently advancing relentlessly, finding new ways of dominating and marketing life and imposing itself, through blood and fire, on the Amazon landscapes and in the hearts of the cultures inhabiting them. This model continues the domination and submission of societies and nature under the flag of capitalism, prioritizing development, private property and free enterprise, whilst generating environmental, climatic and economic disasters that are already visible....

Handing over economic governance and responsibility for decisions that compromise the survival of the Amazon peoples and cultures, to stakeholders captured by a market rationale and a short-term, selfish perspective is a recipe for disaster. Such stakeholders include the big conservation NGOs, as well as transnational corporations and national and international economic and bureaucratic elites. Claiming to speak on behalf of ecology and civil society, these NGOs assume the right to talk of economic and ecological justice, but they are no more than instruments of a new model for the accumulation of capital, that speaks the discourse of conservation and eco-efficiency, while concealing its mercantilist nature and capitalist corporate partners. Although speaking of environmental justice and the rights of future generations and living beings, they lack the sensitivity and the ethical responsibility to understand and incorporate the views and perspectives of those whom they claim to represent. Dominated by their fascination for instruments such as REDD, carbon bonds, payments for environmental services; they hide behind the offer of more employment, more welfare, contamination control, reduction of the stock of atmospheric carbon, and increased benefits from technology, without appreciating the real impacts of their proposed solutions. Their attitude is unjust, sacrificing through deception the possibility of a sustainable and achievable world.



Is SFM the Answer? - Foresters Get Drawn into REDD

By Friedrich Wulf, Pro Natura / Friends of the Earth Switzerland

Two topics dominated the UN Food and Agriculture Organisation's 19th session of the Committee on Forestry (COFO) in Rome in March: the presentation of the biannual report on the State of the World's Forests (SOFO 2009) and, even more so, the role of forestry in reducing emissions from deforestation and degradation (REDD), especially by way of sustainable forest management (SFM).

State of the World's Forests

The report, shiny as it is, had little news to offer, especially as it left out or paid little heed to biodiversity, governance, or the EU's Action Plan for Forest Law Enforcement, Governance and Trade (FLEGT). It contains no data on different forest subcategories or plantations, or endangered wood species and their trade. But it does report that global deforestation continues, with South America, Africa and parts of Asia being the major disaster areas.

The planned use of wood as a fuel, in particular in and by Europe, supposedly in order to reduce climate change, plus increased demand for wood, paper and cardboard, especially in Asia, are expected to lead to increased demand and competitiveness in the forest sector, endangering biodiversity and other amenities.

On the other hand, the global economic crisis is reducing prices and demand for forest products and for products that are the cause of forest conversion, such as palm oil and soy, thus reducing pressure for forest clearance. But less money also means reduced investment in sustainable forest management and increased pressure on land, so that more forest is cleared for agriculture and other activities. Which of these developments dominate remains to be seen. The report proposes using the economic crisis as an opportunity to pursue a "green path".

Climate Change and Forests

The other big issue at the conference was the role that forests and forestry could play in addressing climate change. The objective seems to be to get forestry people involved in a process conceived and discussed by climate experts and the

UN Framework Convention on Climate Change (UNFCCC); several delegates pointed out that their expertise had been ignored by climate change negotiators to date. The fact that the UN Secretary-General's Special Envoy on Climate Change, Gro Harlem Brundtland, was present indicates that this was indeed a high priority.

In her speech, Brundtland pointed out the enormity of the problem, the half-heartedness of measures taken so far and the importance of taking bold and decisive action in Copenhagen – including reaching an agreement on REDD, the controversial scheme for Reducing Emissions from Deforestation and Degradation, possibly by bringing forests into carbon markets, which is now included in the Bali roadmap. Foresters should not only participate, said Brundtland, they must be at the very center of REDD.

In the discussions that followed, there was a general consensus that sustainable forest management (SFM) could play a key role in REDD (a view shared by all but Indonesia, who proposed using the UN Forum on Forest's non-legally binding instrument on all types of forest instead). Also, many delegations pointed out that decisions would be taken at the UNFCCC Conference of the Parties, and that COFO and FAO should support that process by fostering implementation, and supporting research and monitoring.

REDD

There was little or no discussion on the design of REDD. There was a general willingness to support the issue however, with some countries having already developed strategies for REDD. But some of the poorer countries, including Tanzania and Senegal, said they were not able to implement such strategies without additional funding: the definition of land tenure rights and governance being key questions that needed to be addressed before REDD could be considered.

Ecuador raised the point that they had set aside protected areas which could not be used for REDD accounting. Other states, such as Suriname, Guyana, Gabon and the Democratic Republic of Congo regretted that they would not profit from



REDD as they had left their forests standing successfully, and proposed finding funding that could be used to reduce pressure to clear-cut them. Brazil said they would be limiting their forest reduction step by step: 40% now, then 30% for another three-year period and so on; and claimed this was more than the Annex I countries were doing. On SFM, several countries including New Zealand and Turkey blustered about the key role of plantations for global wood supply and as a means of taking pressure off natural forests.

REDDiness and Monitoring

Much of the panels and presentations at COFO-19 focused on how to participate in ongoing programs such as UN-REDD and the World Bank's Forest Carbon Partnership Facility; on monitoring; and on the possibilities for providing help and guidance on monitoring and carbon accounting. Forty-five partnerships have already been established under the two programs, the aim being to prepare countries for REDD ("readiness") by developing methodologies and providing a first assessment of carbon stocks in forests.

FAO will provide free satellite data on the basis of a one degree latitude/longitude sampling grid, which will be helpful for global monitoring and can be refined for national purposes (eg sampling at every half degree-intersection) until 2011. Japan offers to support countries by supplying cloud-free satellite images. The Intergovernmental Panel on Climate Change informed delegates that their website homepage includes guidelines on how to calculate carbon stocks, not only for REDD, but also for every different land use and land use change. Upon being asked by the World Wide Fund for Nature whether conversion to plantations could be measured by the FAO monitoring system, FAO said the results would not be statistically representative (too few plots), so they would not be able to present results on this issue.

What about Biodiversity?

While the need for broad participation, stakeholder involvement and respect for the rights of Indigenous and local communities were voiced by a multitude of delegates, biodiversity was only discussed at a very general level. There seemed to be a strong belief that SFM would take care of this issue. A high-ranking FAO official (apparently unaware of the risk that REDD will increase plantations at the



Photo: Yolanda Sikking, GFC.

expense of forests) commented that since REDD was about reducing deforestation, and therefore about leaving forests standing, this would include all of those forests' biodiversity, wouldn't it?

Even discussions with pro-biodiversity stakeholders in the corridors showed there was no basic concept on how to boost biodiversity issues within REDD. There were also strategic reasons for this: it was felt that it was better not to impose a blueprint on Parties leaving REDD as free of constraints as possible in order to get it agreed in Copenhagen. It was suggested that once established, NGOs could come up with improvements, through the CBD process for example.

One can speculate whether this strategy makes sense or not – maybe not for the administration of international organizations like FAO. But for NGOs the time to highlight biodiversity concerns within REDD, and to come up with good and simple suggestions about how to make REDD an instrument that serves both climate change *and* biodiversity, is NOW.

Download the State of the World's Forests report at:
<http://www.fao.org/docrep/011/i0350e/i0350e00.htm>



One More Attempt to Help to Solve Finance Problems by UNFF

By Andrey Laletin, Friends of the Siberian Forests, Russia

More than 50 experts (mostly from Europe) met in Rome during March 12-13 to discuss financing for sustainable forest management under the auspices of the UN Forum on Forests (UNFF). The meeting was a continuation of the Ad Hoc Expert Group (AHEG) meeting on forest finance that took place in Vienna, Austria in November 2008 (see Laletin, Samangun in FC #29).

The meeting, which was attended by one civil society representative only, was to prepare options for consideration at the 8th meeting of the UNFF. The main options for financing sustainable forest management that have been put on the table until now include a dedicated fund, a so-called facilitative mechanism, and a combination of these two options. The FAO headquarters in Rome hosted the follow up meeting, which took place just two days before the biannual meeting of the FAO Committee on Forestry.

Several presentations on Forest Finance during the first day of the meeting highlighted the results of the first meeting of the expert group, new initiatives such as the Forest Investment Program (FIP), and current financing flows for sustainable forest management, including the ones listed in the *CPF Sourcebook on Funding for Sustainable Forest Management* (see <http://www.fao.org/forestry/cpf-sourcebook/en/>), an online resource with information on grants, fellowships/scholarships, loans, equity investments and other application-based funding sources. Participants were also briefed about the Global Mechanism of the UNCCD, a facilitative mechanism which was created in 1997 to increase effectiveness of existing financial mechanisms related to Sustainable Land Management.

The presentations were followed by a discussion on the report of the Secretary-General prepared for the UNFF-8. There was agreement that the implementation of the Non-legally binding instrument on forests that was adopted by the UNFF required both political commitment and adequate financing, but that expectations should be realistic, especially during the current economic crisis. It

was stressed that many developing countries do not have sufficient access to financing for sustainable forest management (SFM). A proposal was tabled that the informal consultations should not start with identifying whether a fund or a facilitative mechanism was the preferred option but that they should rather focus on identifying the main characteristics of the optimal outcome. This approach helped create a friendly spirit among the participants and most interventions were constructive.

In their remarks, participants highlighted the links between forests and climate change as a window of opportunity to generate financing for forests and the important role of National Forest Programs (NFPs) in setting national priorities and creating links with other development agendas. Some participants pointed out that sound scientific information is available, including on issues such as the underlying causes of deforestation and forest degradation and that this information should be taken into account.

The meeting did not succeed in reaching a consensus on the main questions at stake. Instead, it produced a table containing "elements for further consideration", such as the objectives of a possible financial mechanism, its guiding principles, and the scope and structure of the financial mechanism that is to facilitate larger flows of finance to SFM. This table, together with outcomes of the Vienna AHEG meeting and Secretary-General report, will give a basis for discussions during UNFF-8 meeting in New York in April 20-May 1. Some of the many sticky issues that will be discussed at that meeting are how to ensure balanced and equitable access to funds, and how compliance with the Paris Declaration on Aid Effectiveness can be ensured. Other sticky questions include how a balanced role for donor and recipient countries in decision-making can be achieved, and whether the financial mechanism should be accountable to the UNFF and follow policy guidance from the UNFF.

Meanwhile, the UNFF meeting later this month will undoubtedly be overshadowed by the ongoing negotiations (or, rather, non-negotiations, see report by Simone Lovera on page 6) on financial mechanisms to Reduce Emissions from Deforestation and Forest Degradation in Developing Countries that are taking place within the framework of the UN Framework Convention on Climate Change (UNFCCC). As those negotiations will not be concluded before the 15th



Conference of the Parties of the UNFCCC, which will take place in Copenhagen in December 2009, many observers are wondering to what extent a possible decision by UNFF on financial mechanisms will prejudge the outcomes of Copenhagen. Or, rather, to what extent the ongoing non-negotiations on REDD will make it impossible to take any decision on a financial mechanism within the framework of the UNFF.



FSC-certified sustainable forest management. Photo: Wally Menne

'Sustainable Forest Management': Another view

Excerpt from an article written by Wally Menne, Timberwatch Coalition, South Africa.

The full article can be downloaded from:

<http://www.timberwatch.org/index.php?id=56>

At a first glance, the term sustainable forest management (SFM) creates a positive impression. Surely, as the word 'sustainable' implies, it must be about managing forest ecosystems in a manner conducive to ensuring their long-term socio-ecological functioning? Unfortunately this impression is not necessarily valid for the vast majority of forests, as SFM has come to mean something quite different.

Where SFM has been used to 'manage' forests, the truth is that it really only applies to a perceived future level of profitability from commercial and industrial applications, mainly timber production. To a lesser extent, SFM can be applied to activities that generate income from tourism and so-called recreation. If a particular forest can generate a financial return through being exploited for the establishment of tourist lodges, hunting, 'war-games' and 4x4 adventure trails, then it can be presumed to be 'sustainably' managed. Even though activities such as these will eventually, as with the extraction of timber, degrade the forest, the goal is to make money, and the argument used to justify this is that value has been added to the natural resource.

However, the vast majority of forests that are managed using the 'sustainable forest management' concept, are used for little more than timber production, which usually means clear-cutting for maximum exploitation. Most examples of this typical application of SFM, as defined by the UN Food and Agriculture Organization (FAO), are simply large-scale industrial logging operations. How 'sustainability' comes into these kinds of forest management scenarios is not readily clear, because it could take anywhere between 40 and 100 years for the trees to re-grow. Whether the associated biodiversity could recover to its original level within a similar time frame is doubtful.

So, instead of being about sustaining ecosystem function, and preserving the production of ecosystem goods and services, this kind of 'forest management' is really about obtaining maximum financial returns, whether from logging or tourism. In cases like these, 'sustainable' refers to a point far into the future, when the whole destructive process can be repeated.



Negotiators Failed to Reach any Major Advance in Bonn.

By Marcial Arias, Fundación para la Promoción del Conocimiento Tradicional, Panamá

The 7th session of the Working Group on the Kyoto Protocol and the 5th session of the Working Group on Long-term Cooperation of the Conference of the Parties on Climate Change, which took place in Bonn, Germany from 29 March to 8 April, ended in neither death nor glory.

Negotiators spent yet more time in group meetings and informal workshops, trying to gain ground for their own interest groups, while the effects of climate change continued to do damage to both cultural and biological diversity.

Resolutions from the UN Summit on Climate Change in Bali 2007 (COP-13) and Poznan 2008 (COP-14) paved the way for the forthcoming COP-15 in Copenhagen, scheduled for 7-18 December 2009. This summit is aimed at negotiating a new protocol to replace the current phase of the Kyoto Protocol, which terminates in 2012. This may be the last chance we have of avoiding runaway climate change.

Legal and procedural matters will be very important in Copenhagen but, lacking any strong political will, it will be almost impossible to achieve the historic breakthrough that is necessary.

For some negotiators, even though the scientific evidence on climate change is growing stronger, the 'Spirit of Bali' and their determination to actually combat climate change seem to be weakening, as they focus on the serious economic crisis being experienced worldwide. By contrast, others argued that the measures drafted to overcome the economic crisis will also contribute to mitigating climate change.

For their part, representatives of the Indigenous organizations that participated in the recent Bonn meetings called for the exclusion of forests from carbon markets, because forests represent Indigenous land and sovereignty, and the vast majority of Indigenous Peoples depend on them.

The Indigenous groups also stressed that markets have only benefited the brokers and investors and not the communities that have preserved the forests throughout the ages. Without these benefits, the continued conservation of these forests is not possible. Carbon markets, in a similar manner, focus on carbon sequestration, and fail to recognize the far reaching multiple benefits of forests.

The Bonn meetings demonstrated that we continue to approve many international measures but what is lacking is the political will to implement them, both nationally and internationally. Rights are not only important in protecting the lives and interests of Indigenous Peoples and local communities, but are also essential if Reducing Emissions from Deforestation and Forest Degradation (REDD) options are to permanently mitigate climate change.

It was maintained that if use is made of Indigenous territories in the implementation of REDD, then their rights must be ensured as well as their full and effective participation. They must, also, be involved at all stages and levels of any decision-making about REDD.



IPO representatives in Bonn, photo Marcial Arias



Many of the Clean Development Mechanism (CDM) projects have also had severe negative impacts on the living conditions and rights of Indigenous Peoples and if REDD becomes incorporated into the carbon markets, it will swell the negative impacts on Indigenous and local communities.

Similarly, the development of methodologies and tools, as well as the implementation of REDD, must be made the starting point for existing international instruments and agreements such as the United Nations Declaration on the Rights of Indigenous Peoples, the Convention on Biodiversity and Convention 169 of the International Labour Organization, amongst other human rights conventions.

LULUCF : Non-Papers in Loggers Land

By Simone Lovera, *Sobrevivencia, Paraguay*

Everything is relative. For years we thought the negotiations on an International Regime (shamefully written with capitals as if an "*international regime*" is something concrete instead of another term for "whatever-is-there") on [Access] and [Benefit Sharing] (ABS) were a classic example of a snail-space process. But compared to the negotiations that are to lead to the Great Copenhagen Climate Deal in December 2009, a future regime under the Framework Convention on Climate Change, the ABS negotiations are progressing remarkably well (see also the report by Estebancio Castro on page 11).

Admittedly, the ABS negotiations wasted some three hours on discussing the status of what was proposed to be a conference room paper. At the first of three final negotiation rounds of the FCCC, however, one could observe delegates engaging in an hour-long discussion whether it would be appropriate to produce the outcomes of their discussions as a non-paper. Mind you, whereas a conference room paper is a basis for negotiations, albeit that parties are still free to add and delete everything on earth during those negotiations, a non-paper explicitly is not a negotiation document. It formally has no status at all; it is just a raw selection of possible options. Yet, even this was almost considered to be too controversial as a potential outcome for the climate negotiations on so-called



Kharagauli near Borjomi-Kharagauli National Park, Georgia

Photo: Merab Machavariani

Land Use, Land use Change and Forestry (LULUCF). The contact group on LULUCF succeeded to waste several hours discussing which options might be incorporated into a non-paper describing possible options by the chairpersons of the meeting, a paper which could include both old and new options submitted by the different parties, taking into account the option that these options *could* be elaborated (or, optionally, not).

Of course, there are serious and potentially very threatening issues underlying these absurd discussions. As it becomes less and less likely that there will be any negotiations on detailed rules, definitions, standards and eligibility criteria for initiatives to Reduce Emissions from Deforestation and forest degradation in Developing countries (REDD) in the 9 months to come, there is an increasing risk REDD will become part of a framework package deal on so-called Nationally

Appropriate Mitigation Actions (NAMA), which might be able to receive carbon offset funding from the Clean Development Mechanism, and which will be defined and calculated by the so-called "Marrakesh rules". These rules include some of the biggest obscenities forests have ever faced. Including a definition of "forest" that includes tree plantations, "*temporarily unstocked areas*" and theoretically the entire capital of Paraguay.



To make things worse, as some more sincere small island state delegations discovered, people are very handy with axes in LULUCF logger-land: They had put forward a comprehensive submission which could have changed the fate of the world's forests with a subtle combination of potentially highly effective "demand-side measures" (read: reducing consumption of unsustainably produced imported timber), some clauses that would take into account the destruction caused by the conversion of forests into tree plantations, and some proposals that would provide subtle disincentives for paper and biofuel consumption vis-à-vis the consumption of for example, long-lived timber. If other climate negotiators had been sincere in their wish to reduce emissions from deforestation and other destructive forestry practices, they would have happily embraced these proposals. Alas, most of the logging sector representatives attending the LULUCF negotiations are mainly there with the mandate to make sure LULUCF rules imply they do not have to account for any of the emissions their bad forestry practices are causing (like converting precious primary forests into pine plantations, which is still baptized "*model forestry*" in some countries), while they get all the credits for any carbon sequestration taking place in their forests and other lands. The afore mentioned proposals were not helpful in this respect, so they were trimmed down in a manner that makes the gardens of Versailles look like a primary rainforest.

The "*we count for our good stuff, and ignore our bad stuff*" mentality was also reflected in the "bar" proposal launched by the EU at the negotiations. Basically this Bar proposal means a happy hour for the forestry community: if you set the bar in a clever manner you can get half of your drinks for free. Admittedly, some NGO observers who were new to the process initially thought it was called the Bar proposal as they had cooked it up during a late-night reception, but sadly enough, the EU was serious. Fact is that the bar will create a major so-called "loophole", which is carbon slang for measures that allow you to pretend you are reducing emissions while you are not in reality contributing anything to addressing climate change at all. But hey, who cares about climate change if there are forestry industry sector interests at stake?

It is no surprise that Papua New Guinea has suddenly become really interested in LULUCF. The rules and definitions of LULUCF have been carefully designed so as

to benefit the forestry sector in every possible manner, without having to bother about the emissions caused by large-scale logging and other ruthless forestry practices. One can already imagine the happy hours PNG and countries like DRC will have calculating the most profitable bar for their logging sector....

One would almost be happy that these kinds of tricks are currently only mentioned in a non-paper that will serve as a basis for another "non-week of non-negotiations in which non-papers have attracted non-comments from presumably non-parties", as FCCC-commentator Ludwig rightfully summarized the FCCC AWG meetings. The only sad thing is that this totally senseless process is triggering so much travel-related carbon emissions. But then, now that the rather absurd proposal of calculating the carbon storage capacity of "*harvested wood products*", has ended up in the non-paper too, the next step will surely be that they will consider the climate negotiations themselves an appropriate carbon sink for foresters who have nothing better to do than to discuss optional options to escape emission reduction commitments the coming months.

For more information, please visit: <http://www.unfccc.int>

Countries and Indigenous Peoples discuss Access and Benefit Sharing

By Estebancio Castro Diaz, International Alliance of Indigenous and Tribal Peoples of the Tropical Forests and Asociación Indígena Ambiental, Panamá

The 7th meeting of the ad-hoc open ended working group on access and benefit sharing (ABS) of the Convention on Biological Diversity (CBD) took place in Paris, France, from 2–8 April 2009.

The working group is taking forward negotiations on the international ABS regime, and is tasked with submitting an instrument or instruments to effectively implement the provisions in the CBD related to access to genetic resources and traditional knowledge and sharing the benefits of these resources and traditional knowledge in a fair and equitable manner to the 10th Conference of Parties of the



CBD in 2010. The International Indigenous Forum on Biodiversity (IIFB) actively participated in the discussion expressing their concerns and providing text some of which was supported by the Parties. They highlighted that benefit sharing should support traditional lifestyles, land security, food sovereignty, cultural revitalisation and restoration of lands and waters - in order to safeguard the preservation of traditional knowledge and biodiversity.

Objective

The IIFB observed that the international ABS regime must respect all the rights of Indigenous Peoples and local communities. Clarifying the rights context is an essential step forward for identifying legitimate claims and entitlements affected by the international regime. They also highlighted that these rights are defined by relevant international standards, national legislation and relevant customary law.

The Parties discussed a paragraph addressing rights over genetic resources. This paragraph addresses the need to comply with prior informed consent requirements and includes a reference to the United Nations Declaration on the Rights of Indigenous Peoples (DRIP). Some Parties added the words "where appropriate". The paragraph remains in brackets, which means there was no consensus.

Other questions that are still to be agreed upon are whether access to genetic resources and traditional knowledge (e.g. for pharmaceutical companies) should be "facilitated" or whether it should be "regulated" and whether the home countries of such companies should "support" compliance with access and benefit sharing regulations and agreements or whether they should "secure" such compliance.

Scope

The EU highlighted that the scope should apply to access to genetic resources and the promotion of fair and equitable benefit sharing, in accordance with article 15 of the CBD, as well as traditional knowledge, in accordance with article 8j. Alternatively, the African group stated that the scope should include genetic resources, biological resources and derivatives and products. They also proposed excluding the exchange and use of traditional knowledge between Indigenous Peoples and local communities.

The issue of whether the international regime will cover viruses and other pathogens as well as potentially pathogenic organisms and genetic sequences was discussed but not agreed upon.

It has been agreed that the international regime does not apply to, *inter alia*, human genetic resources and genetic resources acquired before its entry into force.

Compliance

The IIFB used the African group submission and added a paragraph stating that contracting parties should implement policies and adopt administrative and legislative measures to recognise the rights of Indigenous Peoples and local communities to genetic resources and associated traditional knowledge. Until such policies and measures have been put in place, states shall uphold such rights under international law. The IIFB also highlighted that legal documents related to access and benefit sharing should include community protocols and customary laws. Moreover, they congratulated the government of Australia for endorsing the UN DRIP.

Fair and equitable benefit sharing

The Like-Minded Megadiverse countries added additional text stating that prior informed consent to access to genetic resources, their derivatives and associated traditional knowledge shall be obtained from the party of origin, in accordance with the CBD, through its competent authorities and subject to national legislation... and that where access is sought to traditional knowledge, the user shall obtain prior informed consent from the Indigenous and local communities, in accordance with article 8j.

The EU and others stated that benefit sharing should be subject to mutually agreed terms. The IIFB stated that equitable benefit sharing will require legal certainty about rights holders, and determine those rights holders involved in negotiation of prior informed consent and mutually agreed terms. The international regime must recognize Indigenous Peoples and local communities as rights holders, entitled to a formal role in processes to define regulatory frameworks at international, national and local levels, to provide prior informed consent and to negotiate mutually agreed terms.



Conclusion

Parties have acknowledged the importance of input from Indigenous Peoples and local communities and they have established that traditional knowledge and customary law derive from and belong to the Peoples concerned.

They have also highlighted the importance of the UN DRIP, however references to the Declaration are still bracketed in all the documents.

Calendar of Forest-Related Meetings

More information on these and other intergovernmental meetings can be found at: www.iisd.ca/linkages

Second meeting of the CBD AHTEG on Biodiversity and Climate Change will take place 18 to 22 April in Helsinki, Finland. For more information, please visit: www.cbd.int/meetings

UNFF 8 will take place 20 April to 1 May 2009, at UN Headquarters in New York. For more information, please visit: www.un.org/esa/forests/session.html

The Indigenous Peoples' Global Summit on climate change will be held 20 to 24 April 2009 in Anchorage, Alaska, US. For more information, please visit: <http://www.indigenoussummit.com/servlet/content/home.html>

The Eight Session of the UN Permanent Forum On Indigenous Issues will be held 18 to 29 May 2009 in New York, US. For more information, please visit: <http://www.un.org/esa/socdev/unpfii/>

The 30th Sessions of the UNFCCC Subsidiary Bodies of the UN Framework Convention on Climate Change (UNFCCC) will take place 1 to 12 June 2009 in Bonn, Germany. For more information, please visit: http://unfccc.int/meetings/unfccc_calendar/items/2655.php?year=2009

The 2nd World Congress on Agroforestry will take place 23 to 29 August 2009 in Nairobi, Kenya. It is organized by ICRAF-The World Agroforestry Centre, in collaboration with UNEP and the Institute of Food and Agricultural Sciences

(IFAS) of the University of Florida. For more information, please visit: <http://www.worldagroforestry.org/wca2009/>

The ninth session of the AWG-KP and seventh session of the AWG-LCA will take place 28 September to 9 October 2009 in Bangkok, Thailand. For more information, please visit: <http://unfccc.int/meetings/items/2654.php>

The 13th World Forestry Congress will take place 18 to 25 October 2009 in Buenos Aires, Argentina. For more information, please visit: <http://www.wfc2009.com/en/index.asp>

UNFCCC COP 15 and Kyoto Protocol COP/MOP 5 will take place 7 to 18 December 2009 in Copenhagen, Denmark. These meetings will coincide with the 31st meetings of the UNFCCC's subsidiary bodies. For more information, please visit: http://unfccc.int/meetings/unfccc_calendar/items/2655.php?year=2009

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