

# Forest Cover

A Global Forest Coalition Newsletter on International Forest Policy

Issue no. 10: September 2003

## About Forest Cover

Welcome to the tenth issue of *Forest Cover*, the newsletter of the Global Forest Coalition (GFC). The GFC was established by a group of non-governmental organizations (NGOs) and Indigenous Peoples Organizations (IPOs) to facilitate the informed participation of NGOs and IPOs in intergovernmental meetings related to forests. *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 founding members or the editors. *For free subscriptions, please contact Simone Lovera at: lovera1@conexion.com.py.*

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## Ex Silvis:

### Hidden Discord in Experts' Harmony

By Miguel Lovera, Coordinator, Global Forest Coalition

What is a forest? In September 2002, experts from six international organizations met for a second time in Rome to try to harmonize different definitions used by participants in international negotiations.

The experts avoided advocating a scientific definition of "forest" that would include the concepts of ecosystem, biodiversity and naturalness. But – after fretting that terms and definitions are often difficult to translate from one language to another – they did not hesitate to claim that plantations are forests.

This assertion has proven catastrophic to forest conservation and management. Yet in making it, the experts were only following the calamitous example of authorities such as the Convention on Biological Diversity (CBD), which defines "forest" as: "a land area of more than 0.5 ha, with a tree canopy cover of more than 10 percent, which is not primarily under agricultural or other specific non-forest land use. In the case of young forests or regions where growth is climatically suppressed, the trees should be capable of reaching a height of 5 m *in situ*, and of meeting the canopy cover requirement."

The message is clear: "Don't worry about forest conservation – after all, a forest is just a bunch of trees!"

Rather than trying to “harmonize” such lamentable definitions, the experts would have better spent their time and brainpower getting rid of clearly *unharmonizable* terms like “forest plantation” (a euphemism for tree monoculture) and “temporarily unstocked area” (a euphemism for a clear-cut).

All the experts present hailed from prestigious organizations: the Food and Agriculture Organization, the Center for International Forestry Research, the International Union for Forest Research Organizations, the United Nations Environment Programme, the Intergovernmental Panel on Climate Change, and the World Meteorological Organization.

Which provokes the question: if we non-experts, speaking hundreds of different languages and from thousands of different cultures, have no difficulty in telling the difference between a forest and a bunch of trees in an industrial plantation, why are the experts having such a problem?

### **Trees to the rescue?**

*By Lambert Okrah, The Institute of Cultural Affairs-Ghana.*

#### **Introduction**

As the Kyoto Protocol was being finalized in Japan six years ago, well-meaning delegates who had become frustrated by the lack of progress in the agreements to reduce greenhouse gas emissions. Mainly for that reason, Brazil proposed punitive pecuniary measures for industrialized countries exceeding their emissions targets.

Little was it suspected at the time that this creative proposal would be turned into an escape route by the very countries it targeted.

During the very last hours of the conference, after many delegates had already gone home, this escape route -- which has come to be known as the “flexible mechanisms” -- was adopted. Fortunately for the delegations behind it, the UN did not require a quorum at Kyoto. Thus these flexible mechanisms have become binding on all parties.

#### **The Clean Development Mechanism (CDM)**

One of the flexible mechanisms is the Clean Development Mechanism (CDM). Under the CDM, a polluting company in an industrialized country that is expected to cut its emissions arranges through its government to establish a supposedly “emissions-reducing” development project in a country not required to reduce its emissions. The industrialized country is seen as “reducing” its pollution while the recipient country goes on record as increasing its emissions.

Though this evasive approach was opposed by many Southern countries, and though NGOs called on the North to increase overseas development assistance instead, the CDM was approved. It has been said that the rich nations will always have their way -- either within the UN system or outside it, depending on which is easier.

It would, however, be misleading to conclude that the UN has not served its purpose and is therefore not necessary. On the contrary, for industrialized countries to have their way within the UN is always less traumatic for the world than for them to have it outside it, as recent events have shown. In fact, the UN is the best hope we have today of saving humanity, if democracy is given a chance, as mandated by its Charter. Where the UN has failed, it is because of role the rich countries have played or not played.

#### **CDM and Forests**

Few people thought that anything could be worse than the Clean Development Mechanism itself. Alas, recent events in the climate negotiations have shown otherwise. When forests were mentioned as possible projects for the CDM, many of us in the NGO community thought it was a joke. Indeed, well-meaning governments from Southern countries, particularly from Africa, rejected the idea outright. One official told me later that his government would not apply for CDM forest projects even though it seemed that the battle against putting them in the CDM was being lost. But talk to him today

and he will say that the position has changed, and that his government has already started talking to the government of an industrialised country to try to take advantage of the money on offer.

### **Why we Stay Opposed to Forests in CDM**

What are described as “forests” in the Kyoto Protocol are not forests as traditionally understood. Such “Kyoto forests” are more often tree plantations, normally of exotic species, often to serve the pulp and paper industries of the consuming North. The argument is that trees sequester carbon dioxide from the atmosphere through photosynthesis and thus can mitigate the greenhouse effect.

Many years ago, in one of my travels, I saw a poster of one of the international NGOs that campaigns against global warming. A white man representing someone from a rich country was pictured driving a huge pick-up vehicle and a black man representing someone from a poor country was drawn planting trees behind him as he drove along. This displays how some people want to continue their consumption patterns, yet make other people take responsibility. If someone had told me that this was going to become a working principle of the UN, I would have bet a lot of money against it. Lucky that I didn't -- I would be hugely in debt by now.

Though “Kyoto forests” are capable in theory of absorbing carbon from the atmosphere, experts are divided about how long or how effectively they can do so, and what the ultimate impact will be on climate. But one thing is clear: while a true forest's biodiversity enables it to respond to the economic, social, and environmental needs of local people, a “Kyoto forest” is just a tree farm, with many fewer human uses.

We see all this as modern colonialism. Southern countries are being called into service to grow low-cost carbon for the old colonial powers just as they once grew low-priced cocoa, coffee, or oil palm.

### **The eighteenth session of the Subsidiary Bodies and Forests in the CDM**

The 18th session of the UN Framework Convention on Climate Change's Subsidiary Body on Scientific and Technical Advice, which took place in Bonn in June, tried frantically to prepare the ground for the CDM's tree-planting projects. The results are to be presented to the Ninth Conference of the Parties to the climate convention (COP-9), scheduled for Milan, Italy in December.

Even before the Kyoto Protocol has come into force, such tree-planting projects are already under way, particularly in Latin America. An independent NGO study of some of them has revealed that they are already having negative impacts on local people. Yet industrialised countries, with their collaborators in the South, are still determined to go forward. Disturbingly, the most important talks in Bonn went on behind closed doors to the total exclusion of NGOs and Indigenous Peoples present. By the time plenary meetings were held, or meetings of working groups which allowed attendance by NGOs and Indigenous Peoples, the deals had already been made. There was no real participation. In fact, actual attempts were made to keep us away from the action.

### **Conclusion**

Frighteningly, proposals for forest conservation made more than 10 years ago have never received the resources they require. Funding for sustainable forest management under the Convention for Biological Diversity and other instruments is still lacking. Yet now the world is making frantic efforts to set up a new mechanism for tree-planting activities for which money is already available. Why?

Here is one clue: it is likely to cost much less to get a tonne of carbon credit for planting trees than actually not to emit that tonne of carbon. In this way, rich countries are set to make massive savings enabling them to continue their high consumption while stifling development in the South.

In this way, people are losing the battle against global warming. In doing so, they are defeating themselves. To quote a Canadian friend, “humans have no capacity to destroy this world”: “If we succeed in changing the natural workings of the world we will destroy ourselves and no matter how long it takes, the world will revert to its original form after we are out of her way.”

The signs are that such warnings are not being heeded. Faced with this situation, many NGOs have retreated into helping design “modalities” that can deliver better “Kyoto forests”. I am afraid they are damned wrong. While I doubt whether they have the ability to make any changes at all to what goes on behind those closed doors, any change they do succeed in making will be a mere decoration. The approach they are following is fundamentally wrong. After all, a decorated mosquito is still a mosquito. I therefore call on all colleague NGOs to dissociate themselves from these “Kyoto forests”, and instead track them down wherever they are being established in the world to expose the wrongness of the concept.

## **The Indigenous Peoples' Declaration to the World Parks Congress**

### **Preamble**

We, the Indigenous Peoples united here in Durban, South Africa, at the Indigenous Peoples' Preparatory Conference for the World Parks Congress, held 6 to 7 September 2003, would especially like to thank our Indigenous hosts, the Khoi and the San Peoples of South Africa for welcoming us to their territory;

Recalling the international community's commitment made at Rio and Johannesburg, on Indigenous Peoples vital role in sustainable development and environmental conservation, we reaffirm our vision of a respectful relationship by all peoples towards Mother Earth and our commitment to practice this respect in our terrestrial, coastal/marine and freshwater domains. Our respect for nature

must not be limited to protected areas, but must encompass the earth;

Taking into account the special relationship we have with our lands, territories and the resources therein, we reaffirm our holistic vision which strongly binds biodiversity and cultural identity and unites a people with its territory;

Affirming that Indigenous Peoples are rights-holders, not merely stakeholders;

Remembering that internationally recognized Indigenous Peoples' rights have been systematically violated in protected areas, including the right to life;

Recognizing that Indigenous Peoples' knowledge, practices and areas of conservation, as well as systems of resource management pre-date the imposition of Western and alien concepts of protected areas. The latter result in the loss of Indigenous territories, impoverishment and the degradation of nature.

Drawing attention to the fact that the current global economic model contradicts the aims of conservation and preservation of nature;

Highlighting the fact that all states have international obligations to promote Indigenous Peoples' rights and that although some states have made advances in national legislation, there is still insufficient application of these norms at the national level;

Acknowledging IUCN's positive efforts in advancing the recognition of the rights of Indigenous Peoples, including the adoption of World Conservation Congress Resolution 1.53 Indigenous Peoples and Protected Areas (Montreal, Canada 1996), we nevertheless call attention to the lack of implementation of these policies;

We therefore declare the following:

1) We reassert Indigenous Peoples' inherent right to self-determination.

2) We Indigenous Peoples are rights-holders and not merely stakeholders.

3) We call special attention to the severe problem of the forced expulsion and systematic exclusion of Indigenous Peoples from their lands and territories in the creation of protected areas in Africa, as well as in other parts of the world. We thus call for an immediate halt to these practices which result in the destruction of their livelihood and condemn this form of cultural genocide.

4) The ancestral and customary rights of Indigenous Peoples to their lands, territories, and natural resources must be recognized, respected and protected. In cases where our lands have been expropriated to create protected areas, these must be restituted to us and rapid, just, fair and significant compensation, agreed upon in a fully transparent, participatory and culturally appropriate manner, must be provided.

5) We categorically reject any protected area and conservation policy which promotes the discrimination, exclusion and/or expulsion of Indigenous Peoples from their territories and their impoverishment.

6) In the light of these experiences, we call upon the World Parks Congress to uphold civil, political, economic, social and cultural rights in all protected area policies, programmes, projects and activities. Indigenous Peoples and local communities' best practices at the grassroots level prove that rights-based approaches to sustainable development and natural conservation are the way forward.

7) We urge the World Parks Congress to call for the immediate adoption of the United Nations Draft Declaration on the Rights of Indigenous Peoples within the present International Decade for the World's Indigenous Peoples.

8) When protected areas are to be established, the free, prior and informed consent of the Indigenous Peoples concerned must be

obtained, an appropriate social and cultural impact assessment must be carried out and, most importantly, the Indigenous Peoples must at all times reserve the right to say "no".

9) In existing protected areas, created on Indigenous Peoples' territories, the World Parks Congress should support the rapid establishment of a legal framework to ensure culturally appropriate, full and effective participation of the Indigenous Peoples concerned in all aspects of the administration and management processes of protected areas.

10) Neither Indigenous Peoples, nor our lands and territories are objects of tourism development. If tourism is to benefit us it must be under our full control.

11) We call upon the World Parks Congress and IUCN to uphold and strengthen IUCN Amman Congress (Jordan, 2000) Recommendation 2.82 Protection and conservation of biological diversity of protected areas of the negative impacts of mining and exploration and to prohibit extractive industries in and around protected areas and to halt planned and existing extractive activities in and around World Heritage Sites.

12) The World Parks Congress must recognize the cultural integrity of Indigenous Peoples and ensure the integration of traditional collective management systems as a basis for the management of protected areas.

13) We call upon this global gathering to recognize that through the protection and promotion of Indigenous Peoples' rights and through recognizing and integrating our dynamic and holistic visions, we are securing not only our future, but the future of humanity and social and environmental justice for all.

### **The Meaning of Effective Participation**

*By Sandy Gauntlett, Regional Focal Point for Oceania, GFC*

It wasn't as bad as I thought it might be.

After a lot of hard work, hard talk and hard listening on the part of both official and civil society representatives, the intersessional meeting for the UN Forum on Forests on planted forests, held March 2003 in Aotearoa/New Zealand, had some good outcomes. They were presented at a side event during the third session of the UN Forum on Forests (UNFF), which took place from 26 May to 6 June 2003 in Geneva, Switzerland.

The meeting report that was presented rightly recommended more work on definitions of forests, afforestation and reforestation and acknowledged, also rightly, that the New Zealand situation regarding plantations is unique. It even emphasized – rightly again -- that “planted forests” (sic) should be seen as complimentary to and not replacements for Indigenous Forests.

Much of the credit for international civil society participation at the planted forest intersessional meeting goes to the government of New Zealand, which laid out NZ\$20,000 for the expenses of non-government and Indigenous Peoples organizations (NGOs and IPOs), who were allowed to select their own representatives.

The contrast with participation at the UNFF meeting itself was clear. Moreover, many major environmental NGOs decided to bypass UNFF, further lowering the already low civil society profile there.

Adding insult to injury, the “multi-stakeholder dialogue” to evaluate participation in the UNFF process was in fact a serial monologue, with government after government telling us how wonderful they were for listening to us and including our ideas. The few of us representing civil society who had been following the process were both amused and horrified at some governments’ self-delusion on the issue.

Of course, some governments (Canada, for example) have a long history of ensuring the participation of civil society organizations and Indigenous Peoples. But such governments

are in the minority. On the whole, governments are failing to fulfill their stated obligations both to consult and to help build the capacity of their constituents, including Indigenous Peoples and civil society. Moreover, at UNFF, some of the civil society representatives that were included in government delegations, being new to the process, tended to be overly supportive of the positions of their own government-patrons.

We need to call on governments to include more civil society representatives in the fourth and fifth session of the UN Forum on Forests. Next year’s meeting will stress traditional knowledge, and it is imperative for its own credibility that Indigenous Peoples are enabled to attend in sufficient numbers. In addition, it is not enough just to include a mix of civil society groups. Representatives must also have a level of experience that ensures that their participation is more than window-dressing.

### **Cancun Collapse!**

*By Simone Lovera, Friends of the Earth International*

One of the wildest parties in years took place on the streets of Cancun, Mexico, the night of the 14 September, when thousands of non-government organizations (NGOs), farmers, Indigenous Peoples, women’s groups, youth groups, forest defenders and others celebrated the collapse of the fifth Ministerial Meeting of the World Trade Organization, which had ended without even a vague “stock-taking” declaration being possible.

Of course, in some ways there was not actually that much to party about. The fact that the fifth Ministerial had failed to reach any agreement was tragic evidence of the lack of political will of, in particular, the EU and the US to keep their own rhetorical promises regarding what is very unjustifiably called a “development round” of WTO trade talks.

The draft Ministerial declaration published on 13 September was what caused the outrage among developing countries that led to the

collapse. Demonstrating the immense arrogance of the US, the EU and their allies among WTO staff and facilitators, the draft declaration simply ignored the concerns and positions of the South. For example, despite the fact that over 70 Southern countries had clearly stated that they did not want to start negotiations on an agreement on investment or other so-called “new issues”, the draft announced the launch of several such negotiations. One of the agreements in question would have seriously restrained the rights of governments to impose restrictive policies and standards on foreign investors such as logging companies or agro-industries.

Worse, the draft declaration, through a tricky little footnote, bluntly connected these negotiations to the agricultural negotiations, which have held Southern countries hostage since the establishment of the WTO in 1995. After all, the only reason developing countries are still playing the WTO game has been their desperate wish to stop the devastating dumping practices of the EU and the US in the agricultural sector. The billions of dollars of direct and indirect subsidies these countries provide to export-oriented agriculture destroy the markets of small farmers all over the world, and lead to the devastation of small farming in countries as varied as Mexico, India, Benin and South Korea. As Kim Choony of KFEM/FoE-South Korea explained during the conference, the small-scale cultivation of rice in countries like Korea is not only an indispensable survival strategy for millions of small Korean farmers but also an expression of deep-rooted Korean culture. This was why one of the leaders of the Korean farmers movement, Lee Kyung-Hae, immolated himself in the middle of a farmers’ demonstration at the first day of the conference. “Todos somos Lee!” (“We are all Lee!”) was an often heard cry among the farmers demonstrating on the streets throughout the WTO meeting.

However, the draft declaration showed that the WTO will never take such issues seriously. It contained no concrete proposals to halt agricultural dumping, and represented

yet another step towards prohibition of tariff and other barriers with which developing countries are trying to protect their farmers against Northern dumping. This would have led to further expansion of large-scale export-oriented agriculture, which is already the most important cause of deforestation in the world.

Other negotiations taking place under the WTO are likely to have devastating impacts on forests and forest peoples too. The attempts of the EU to include environmental services like nature protection and watershed management under the General Agreement on Trade in Services, for example, might lead to governments and NGOs becoming unable to provide financial support to small-scale community-based forest management projects. Such support would be seen as “discrimination” against transnational corporations and conservation NGOs that want to provide nature protection and watershed management services on a commercial basis.

The beast was seriously wounded in Cancun. It was wounded by men like Lee Kyung-Hae, who gave developing countries the confidence to stand up during the final negotiation sessions and state that they were there to defend the rights of their farmers, and that they would not go home without having fulfilled this duty. However, the beast is not dead yet. The scattered pieces of the Cancun negotiations will be brought back to Geneva, where the WTO will do every effort to scotch-tape them together so that the Ministerial can be re-convened, possibly even within the coming six months.

However, as a minimum, it is hoped that Southern countries will have a much stronger position in these negotiations knowing that they have the right and the duty to fight for the lives, livelihoods and ecosystems of the millions of small farmers, forest peoples, and other local communities they are supposed to represent in these negotiations.

Perhaps this will keep them from trading away our farmers, our forests and our forest peoples.

## Reports on Other Forest-Related Meetings

### Desertification: a problem of size

By Calixte Aldrin, *Friends of the Earth-Haiti*

Desertification a problem of size? The idea may sound strange. Isn't desertification in fact a process of degradation of soil, water and vegetation due to climatic effects and human activities?

True, the causes of desertification are multiple. But one of the causes, deforestation, is a problem whose size cannot be ignored. Deforestation and desertification can sometimes even be linked in a vicious circle: Following land deterioration, exploitation of woody vegetation, exacerbated by climatic effects, can lead to further degradation. Such degradation is extensive and, in some places, especially arid zones, accelerating. This affects agricultural production, biodiversity and, reciprocally, forests themselves.

One of the measures the United Nations has adopted to tackle this issue is the 1996 Convention to Combat Desertification and Drought (CCD). What fruits has the CCD borne so far? Few, perhaps, but the Sixth Conference of the Parties (COP-6) to the CCD, held in Cuba from 26 August to 4 September 2003, may have been something of a turning point.

The speeches by the more than 20 Heads of State attending the conference suggest there may be a new will to act. The conference declaration, for example, recognized that the CCD is an important tool in the fight for the eradication of poverty. Delegates demanded that governments undertake genuine sustainable development and insisted that the people whose living conditions are affected by desertification should be at the centre of programs to fight it. They also called upon the

World Trade Organization to suppress agricultural subsidies that threaten rural development and accelerate desertification.

Only the future, however, will tell whether this COP really was a turning point in the politics of desertification.

### Calendar of Forest-Related Meetings

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

- \*\* The twelfth World Forestry Congress, "Forests, Source of Life", will take place 21 - 28 September in Quebec City, Canada. This congress is organized by FAO once every six years. It is open to all and addresses a broad range of forestry-related themes. *For more information, please visit:* <http://www.wfc2003.org>.
- The thirty-fifth session of the International Tropical Timber Council will be held from 3 - 8 November 2003 in Yokohama, Japan. *For more information, please contact:* <http://www.itto.org.jp>
- From 6 to 8 November 2003 the Secretariat of the Convention on Biological Diversity will organize a special International Workshop about Forest Protected Areas in Montreal, Canada. *For more information, please contact:* <http://www.biodiv.org>.
- The ninth meeting of the Subsidiary Body for Scientific, Technical and Technological Advice of the Convention on Biological Diversity will take place from 10 - 14 November 2003 in Montreal, Canada. The main theme of the meeting will be the implementation of the provisions of the Convention related to protected areas. *For more information, please contact:* <http://www.biodiv.org>.
- \*\* The ninth Conference of the Parties of the UN Framework Convention on Climate Change will be held from 1 - 12 December in Milan, Italy. The meeting will, among other things, others, continue discussing

tree-related projects in the Clean Development Mechanism. See also the article by Lambert Okrah. *For more information, please contact: <http://www.unfccc.int>*

- The third meeting of the Ad Hoc expert group on Article 8(J) of the Convention on Biodiversity regarding traditional knowledge will take place from 8 - 12 December 2003 in Montreal, Canada. *For more information, please contact: <http://www.biodiv.org>*
- The seventh Conference of the Parties of the Convention on Biodiversity will take place from 9 - 20 February 2004 in Kuala Lumpur, Malaysia. Main themes on the agenda include protected areas, mountain biodiversity, implementation of the Strategic Plan and follow-up to the World Summit on Sustainable Development. *For more information, please contact: <http://www.biodiv.org>*
- The fourth session of the UN Forum on Forests will take place from 3 - 14 May 2004 in Geneva, Switzerland. Themes to be discussed include traditional forest-related

knowledge and social and cultural aspects of forests. See also the report by Sandy Gauntlett. *For more information, please contact: <http://www.un.org/esa/forests.htm>*

*(\*\*Meetings at which the Global Forest Coalition can facilitate Southern NGO or IPO participation.)*

*This publication was made possible through a financial contribution from Netherlands Development Assistance.*

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