

IUCN WCEL Specialist Group Updates

WCEL Forests Specialist Group Update: June 2018

Contents

- Introduction: The Importance of Forest Conservation for Life on Earth
- WCEL Forests Specialist Group: Mission
- Forests Specialist Group Projects and Activities
- Recent Events
- Membership Engagement

Introduction: The Importance of Forest Conservation for Life on Earth

Forests still cover about 30 per cent of the Earth's land area. Increasingly rapid extraction and conversion is the result of a long history of unsustainable exploitation for the harvest of timber and fuel, and clearance for the expansion of cities, farms, dams, roads, mining, and other related infrastructure projects. Spread across six continents (all except Antarctica), forests can be tropical, temperate, or boreal depending on the temperature and moisture. They are vital for life on earth and provide habitat to an estimated 80 per cent of all terrestrial species of animals, plants, and insects. Forests store incredible amounts of carbon and genetic material, and are reservoirs of freshwater vital to life.

Abundant genetic diversity underpins the development of medicines to treat illness and disease. Recent estimates suggest that three-quarters of the top-ranking global prescription drugs contain components derived from plant extracts, many of which come from the world's forests.¹ The protection and restoration of forests are, thereby, central activities for the achievement of the main objectives of the [Convention on Biological Diversity](#).

The conservation and sustainable use of forests is also crucial for climate change mitigation. They are massive stores for carbon – in both above- and below-ground biomass. According to the Food and Agriculture Organization of the United Nations “[t]he world's forests store more than 650 billion tonnes of carbon, 44 per cent in the biomass, 11 per cent in dead wood and

¹ Jenkins, Michael and Brian Schapp. 2018. *Forest Ecosystem Services: Background study prepared for the thirteenth session of the United Nations Forum on Forests*. http://www.un.org/esa/forests/wp-content/uploads/2018/05/UNFF13_BkgdStudy_ForestsEcoServices.pdf.

litter, and 45 per cent in the soil.”² The forest and land-use sector is thus unique in that it can act as either a source or a sink for carbon, with the potential to sequester carbon and reduce net CO₂ emissions. Despite this potential, the world’s forests are currently releasing more carbon into the atmosphere than they are sequestering. Deforestation contributes 10 per cent of global greenhouse gas emissions, representing the second-largest source of annual CO₂ emissions after fossil fuel combustion.³ It will be impossible to limit global warming below 2.5 degrees centigrade, as established in the Paris Agreement, without halting deforestation and forest degradation, or enhancing forest carbon stocks through restoration.

The loss of forests also has impacts on the local and regional water cycle. Riparian (streamside) forests have an important and almost irreplaceable role in protecting rivers, streams, and other kinds of water bodies. Removal of natural streamside forests greatly alters the physical, chemical, and biological dynamics of streams, as well as the structure and function of their ecosystems.⁴ Besides that, new research points out that evapotranspiration provided by forests is responsible for at least 65 per cent of all continental precipitation; vital for almost all economic activities. Most of the moisture that irrigates fields and fills reservoirs in the South American subtropics – where more than 70 per cent of the continent’s population lives - comes from the Amazon Rainforest.⁵

Forests are not only an irreplaceable source of ecosystem services to human kind. They are also responsible for the direct subsistence and livelihood of more than 2.5 billion people, approximately one-third of the world’s population, that still rely on them for shelter, food, and biomass for daily energy needs, particularly cooking and heating.⁶

WCEL Forests Specialist Group: Mission

[The Forests Specialist Group \(FSG\)](#) was created as a result of the 2016 IUCN World Conservation Congress with the mission to gather environmental law professionals and forest specialists from around the world to foster the protection, restoration, and good stewardship of

² Food and Agriculture Organization of the United Nations (FAO). 2010. *Global Forest Resources Assessment 2010*. Rome, Italy: Food and Agriculture Organization of United Nations. <http://www.fao.org/docrep/013/i1757e/i1757e.pdf>.

³ *Ibid.*

⁴ Sweeney, Bernard W. and J. Denis Newbold. *Streamside Forest Buffer Width Needed to Protect Stream Water Quality, Habitat, and Organisms: A Literature Review*. 2014. *Journal of the American Water Resources Association (JAWRA)* 50(3): 560-584. <https://onlinelibrary.wiley.com/doi/abs/10.1111/jawr.12203>.

⁵ Arraut, J.M., C. Nobre, H.M. Barbosa, G. Obregon, and J. Marengo. *Aerial Rivers and Lakes: Looking at Large-Scale Moisture Transport and Its Relation to Amazonia and to Subtropical Rainfall in South America*. 2012. *Journal of Climate* 25:2, 543-556. <https://journals.ametsoc.org/doi/abs/10.1175/2011JCLI4189.1>.

⁶ Bull, Gary. 2018. *Forests and Energy: Background study prepared for the thirteenth session of the United Nations Forum on Forests*. http://www.un.org/esa/forests/wp-content/uploads/2018/04/UNFF13_BkgStudy_ForestsEnergy.pdf.

forests worldwide. Although some strong international law agreements already exist to address forest protection and sustainable use, such as the Convention on Biological Diversity (CBD) and the UN Convention to Combat Desertification (UNCCD), as well as non-binding resolutions like the [UN Forest Instrument](#) (UNFI), much more needs to be done at the international, national, and sub-national levels. While global rates of deforestation have decreased in recent years, in some countries they are still unacceptably high and contribute to major biodiversity loss and global climate change.

A strong [Environmental Rule of Law](#) is required to reverse this trend and meet the goals established under international environmental agreements. To protect forests and promote forest restoration at a landscape level, countries need strong and effective policies rooted in progressive laws. Most countries already have forest protection laws, but many are ineffective or outdated. On the other hand, many countries have succeeded in stopping forest loss, and some have undertaken extensive reforestation or restoration efforts. This is in part due to the adoption of adequate legal provisions and well-designed forest and land use institutions. Therefore, the FSG mission is to work as a voluntary body of legal and forest experts to:

- Develop and strengthen legal protection of forests at national, regional, and international levels;
- Foster collaboration among legal and interdisciplinary experts to exchange information, produce position papers, and policy reports;
- Contribute to and report on important meetings and developments to advance the environmental rule of law for sustainable forest stewardship and the conservation of nature; and
- Provide legal expertise to inform IUCN activities concerning all forest-related aspects.

Forests Specialist Group Projects and Activities

The Forests Specialist Group has only been recently established under the leadership of Raul Silva Telles do Valle. As Chair, he is currently constructing a plan to begin work and is guided by a number of exciting initiatives.

[A Memorandum of Understanding \(MoU\) was signed in April 2018 between WCEL and the United Nations Forum on Forests \(UNFF\)](#). The main purpose of this agreement is to establish the basis of mutual collaboration on initiatives that strengthen legal aspects for the protection of forests, particularly in respect to drafting a Model Forest Act. This groundbreaking work is especially targeted at assisting countries to accomplish their commitments under the Paris Agreement. Many countries will need to reform their legal systems, promote better forest protection, and adopt appropriate policies to foster forest restoration. Although extensive research and case studies are being conducted in order to analyze cases of success and failure of forest management, few studies focus on the legal systems of these countries. There is also

no single place where national authorities, civil society leaders, or academic researchers can find comparative analysis on forest legislation to improve their national forest laws.

Therefore, the Forests Specialist Group's will focus on producing a model national forest law in 2018 and 2019 as a mechanism to contribute knowledge and guidance for improving forest legislation and the rules and institutions that could be adopted or adapted at national and subnational levels. The model national forest law will incorporate the legal principles of the main international forest instruments, such as the UNFI, as well as interesting legal provisions present in national legislation. A fundraising proposal has already been prepared and presented to the UNFF to hire a consultant to coordinate the study and there is a possibility of receiving additional financial support.

Conversations have also been held with the Law Division of UN Environment Law Division that has worked with partners to develop the [Law and Climate Change Toolkit](#). The Toolkit is an online, publicly accessible database aiming to collect different climate change-related national legislation, to undertake assessments of selected countries' legislation, and increase the availability of information on good practices and lessons from across the field of climate change lawmaking. The intention is to move beyond this early stage of dialogue to utilize the network of the WCEL Forests Specialist Group to accentuate the Toolkit with a module on forest and land use law.

The Chair has also begun dialogue with other parts of the IUCN Secretariat, including the Global Forest and Climate Change Programme and Asia Regional Office, to explain the projects being prepared and to explore possible synergies for activities.

Recent Events

- Justice Antonio Herman Benjamin (WCEL Chair) and Manoel Sobral Filho (Director of UNFF) signed the Memorandum of Understanding to promote collaboration and strengthen legal aspects for protecting forests. A brief of the meeting can be found [here](#).
- FSG Chair Raul Silva Telles do Valle attended the [13th session of the United Nations Forest Forum \(UNFF-13\)](#) as an observer. This was the first UNFF meeting after the adoption of the United Nations Strategic Plan for Forests 2017 – 2030 (UNSPF) and many of the national representatives acknowledged that action must be taken now in order to achieve the United Nations Sustainable Development Goals (SDGs), especially [SDG 15 "Life on Land."](#) During UNFF-13, many countries announced their voluntary national contributions (VNCs) to the UNSPF. Details were provided on individual plans and joint strategies to meet the goals established under the non-binding instrument, such as increasing global forest cover area by 3 per cent by 2030 (Goal 1).

However, most of the VNCs focus on the development of plans and national policies without describing concrete actions to be taken to reach the goals. Some countries, on the other hand, made more concrete pledges. For example, New Zealand committed to planting one billion trees by 2028. The Philippines pledged to rehabilitate 120,000 hectares of forests in 2018 and 100,000 hectares in 2019.

Furthermore, a [Communication and Outreach Strategy](#) was adopted by UNFF Members to scale- up best-practices and raise awareness about the importance of forests to global health. The targeted audience is national authorities from diverse sectors, but mainly from forestry and environmental agencies, as well as decision-makers. The strategy assumes that “success stories and best practices from local communities can provide inspiring messages for action on the ground.”

A number of important reports were presented during the session. A study carried out by David Ellison, from the Swedish University of Agricultural Sciences, explored the relationship between forests and water. The study demonstrates growing scientific evidence on the role of forests in balancing the regional and global hydrological cycle. These findings present a big challenge to global forest governance. Countries with large forest areas, such as Brazil and Russia, have an even larger responsibility to protect them and maintain the water cycling systems that provide precipitation to neighboring countries. At the same time, new financial approaches need to be put in place in order to assist these countries to truly use their forests in a sustainable way and avoid the expansion of competitive land uses like agriculture. Another study demonstrated that more than 2.5 billion people, approximately one-third of the world’s population, still rely on the traditional use of biomass from forests for their daily energy needs, particularly cooking and heating. It is estimated that approximately 50 per cent of the wood extracted from forests worldwide is used to produce energy as fuelwood and charcoal. Therefore, the use of forest products as a source of energy is a very important driver in forest degradation, particularly in Africa and Asia. This trend is likely to continue for a long time.

At the core of the meeting was a discussion about how much funding the UNFF Secretariat will receive in the coming years to maintain the work underway and to monitor the implementation of the UNSPF. As the UN budget declines due to reduced financial contributions from the United States, there are concerns that this could affect the survival of UNFF. The representative of the UN Department of Economic and Social Affairs (DESA), under which the UNFF is located, explained that the UN Secretary-General is considering various options to strengthen UNFF while respecting its original mandate and function. The Secretary-General will offer a formal proposal once the UN

General Assembly adopts an impending resolution on the repositioning of the UN development system. Many countries expressed concerns about impacts on UNFF outputs and the Secretariat staff if the already small budget is reduced.

The UNFF concluded with [approval of a draft omnibus resolution](#) to be submitted to the UN General Assembly for consideration of multiple points, including:

- Implementation of the UN Strategic Plan on Forests 2017-2030 (UNSPF);
- Monitoring, assessment, and reporting (MAR);
- Means of implementation (MOI);
- UN system-wide contributions to the implementation of the UNSPF;
- Contributions of UNFF to the High-Level Political Forum on Sustainable Development's (HLPF) review in 2018;
- Preparations for the HLPF review in 2019; and
- Information on the UN Department of Economic and Social Affairs (DESA) reforms pertaining to UNFF.

Membership Engagement

As mentioned above, the FSG is in the formative stages of its work and membership is yet to be allocated. Currently, Raul Silva Telles do Valle serves as Chair and Julia Norat Cavalcanti is the 2nd Deputy Chair from the WCEL Early Career Group. They have been working - with help Nora Moraga-Lewy, a researcher at the Environmental Law Institute – to prepare a methodology to undertake the comparative analysis of national laws related to forest protection and management. An approach is being taken with the understanding that key reasons for the inability to successfully transfer legal systems between different countries are their critical cultural, economic, and legal differences. What works very well in one context may be completely ineffective in another. Therefore, the study will need to cover a sufficient number of countries on the six continents with different cultural, economic, ecological, and legal systems in order to conduct a proper comparative study that provides useful ideas and guidance for those engaged in improving their national laws.

The Specialist Group looks forward to identifying and recruiting a number of collaborators to undertake these projects. Contributions are welcome from WCEL Members, as well as others with in-depth expertise about the legal systems of their countries. To be most successful, teams of interdisciplinary experts could be formed for each selected country. The expectation would then be to operate collaborative efforts for the improvement of the methodology and in the collection and analysis of national legal and institutional frameworks.

Please contact wcel@iucn.org if you are interested in becoming a Member of the WCEL Forests Specialist Group and working on these important projects.