

BAD GOVERNANCE: can global environmental policy make a difference?

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INTERNATIONAL GOVERNANCE AND ENVIRONMENTAL POLICY

- Many existing treaties contain provision for regulating activities related to forests
- but no one legal instrument which deals with all environmental social and economic aspects of forests.
- One current view is that the only way forward is to foster synergies between existing instruments: though this may not be sufficient to ensure sustainable forest management.

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WHY NO OVERARCHING GLOBAL FOREST GOVERNANCE ARRANGEMENT?

- At Rio, positions were far too far apart to negotiate a forest convention. Subsequent processes, the Intergovernmental Panel on Forests (IPF), the Intergovernmental Forum on Forests (IFF) and the United Nations Forum on Forests (UNFF) have not been able to achieve resolution.
- A forests convention now looks less likely than ever, and the only present international arrangement on forests is the UNFF and its guiding body the Collaborative Partnership on Forests (CPF)

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WHY NO ENTHUSIASM FOR NEW GLOBAL FOREST GOVERNANCE ARRANGEMENTS?

- overall willingness to reach international agreements may have slipped backwards.
- Experience of the convention process has disillusioned some actors
- There have been recent controversies - such as the acceptance of the Kyoto protocol on climate change, for instance - which hint at a retreat from treaties more generally

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WHAT EXISTING INTERNATIONAL AGREEMENTS MIGHT SUPPORT BETTER FOREST GOVERNANCE? (1)

THE KEY THREE

- the UN Framework Convention on Climate Change (UNFCCC 1992)
- and especially the Kyoto Protocol, which emerged from its 1997 COP, and which sets out emission reduction targets and methods
- the Convention on Biological Diversity (CBD 1992)
- the UN Convention to Combat Desertification (UNCCD 1994)

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WHAT EXISTING INTERNATIONAL AGREEMENTS MIGHT SUPPORT BETTER FOREST GOVERNANCE? (2)

ALSO IMPORTANT

- The International Tropical Timber Agreement (1994)
- The World Trade Organisation (1994)

Less important

- Ramsar (the Wetlands Convention 1971)
- the World Heritage Convention (1972)
- the Convention on International Trade in Endangered Species (CITES, 1973)
- The Indigenous and Tribal People's Convention (1989)

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THE UNFCCC, forests and governance

- Article 2 of the Kyoto Protocol states that industrialised parties shall 'implement...policies and measures...such as sustainable forest management... and reforestation'.
- It was proposed that such activities might be used by industrialised countries (often in developing countries) to offset their emission targets. Agreement on this point was not reached at the November 2000 COP, and its benefits to remains unclear for developing countries.

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The CBD, forests and governance

- Forest ecosystems are reckoned to contain 70% of the world's plant and animal species, and the CBD's interest in forests has increased since Rio. It is considering forests as one of its three priority themes at COP6 in April 2002.
- The CBD has a leading role in considering forest-dependent people and their traditional forest-related knowledge.
- It has been slower to consider their legal, economic and cultural rights, or national governance issues that affect their position

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The UNCCD, forests and governance

- The goals of the UNCCD - prevention of desertification, local livelihoods in marginal areas, sustainable forest management as part of sustainable agriculture and the reduction of rural poverty all have real good governance potential.
- But the convention has been poorly funded and remains largely unimplemented.

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The International Tropical Timber Agreement (ITTA), forests and governance

- ITTO, the organisation which administers the ITTA, has a strong producer country base.
- There has been reluctance by ITTO producers to pass any decision which might be viewed as a trade restriction, whether it be incentives, labelling or trade in endangered species.
- This is a difficult forum for forest good governance discussions.

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The WTO, forests and governance

- The WTO has had a committee on Trade and the Environment since 1995, which has begun to discuss ecolabelling, community-based processing, sustainable forest management and certification.
- Might be some future potential here but little current forest knowledge.

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Overview of Multilateral Environmental Agreements(1)

- Looking at the instruments for global environmental policy governing forests, and their capacity to support good governance, we see a patchy picture:
- some topics are well covered
- some dealt with only by overlapping agreements
- some missed out, in reality, by them all

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Overview of Multilateral Environmental Agreements (2)

Well covered

- Conservation of biodiversity is well covered (CBD)
- climate related functions (UNFCCC)

Too many overlaps- insufficiently clear picture

- commercial industrial wood and wood products and NTFPs are covered by many overlapping conventions and arrangements and there an enormous need for a comprehensive all inclusive approach

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Overview of Multilateral Environmental Agreements (3)

Gaps

- Rural livelihoods and forests are gaining little attention.
- They are mentioned in UNCCD and the Indigenous and Tribal People's Convention but these are weak financially and do not mainstream poverty issues or governance aspects of them.
- Other functions of forests such as watershed protection, soil conservation and erosion control are also under-recognised.

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Overview of Multilateral Environmental Agreements (4)

- To summarise, MEAs are struggling, as regards forests. Despite efforts in many fora over many years, they have not been able to arrive at a good governance arrangement among themselves, and are thus in only a patchy position, at best, to offer a good governance framework for the national level.
- They form a backdrop to national level debate about forests, but there is no integrated legal regime which views forests and those that depend upon them, in a holistic way.

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Impacts of a weak MEA structure

Negative impacts (1)

Weak MEA arrangements have allowed bad governance to flourish at both international and national levels

Internationally

- wealthy countries are able to escape from their commitments, thus setting a bad example on other kinds of commitments to developing countries
- Some conservation organisations have continued to focus primarily at the global level, and to avoid dealing with justice and good governance issues at the national level

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Impacts of a weak MEA structure

Negative impacts (2)

Nationally

- Because of the gaps and overlaps which exist among the forest-related MEAs, governments have been able to pick and choose.
- They have avoided pro-poor, pro-transparency change which is not legally essential, or not backed by ample funds, and chosen approaches (some encouraged by GEF funds in support of the CBD) which avoid changing the poor governance status quo.
- Weak MEAs send conflicting messages to competing ministries.

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Impacts of a weak MEA structure

Positive impacts (1)

Nevertheless, the decade of the MEAs between Rio and 2002 has yielded some unexpected dividends, because there was such intense international focus on forests - and the money to go with it - throughout the period.

- **We can note the development of:**
- **National Forest Programmes:** an attempt supported by several donors, and by the UNFF itself to place the discussion of better forest governance at country level.

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Impacts of a weak MEA structure

Positive impacts (2)

- **Multistakeholder involvement**, debate and consultation as this programme, and others, are formulated, has become much more the norm.
- **Better monitoring methods**: Criteria and Indicators for sustainable forest management were developed and tested in this period, and attempts made to build national-level pictures of the kinds of forest needed.

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Impacts of a weak MEA structure

Positive impacts (3)

- **Timber Certification:** while the limitations of certification have been recognised, the principle of linking buyers and sellers in what amounts to good governance arrangements will not now go away.
- **Attempts to rethink forest management:** the generation of new methods for a broader range of stakeholders and forest management has been devolved in many areas to local people at least in part

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Impacts of a weak MEA structure

Positive impacts (4)

- Finally the beginnings of synergy between some conservation organisations (IUCN, WWF) who in the past concentrated mainly on protected areas, to the detriment of local people, and sustainable use donors (mainly the bilaterals) whose prime target is poverty reduction.
- This shift is coming in part as a response to donor-led issues (i.e. NGOs' interests follow the money) but is also the result of the need to bridge the CBD-UNFF divide.
- They need now in turn to work with less good governance - friendly conservation organisations

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CONCLUSIONS

- It has been observed that good policy change often comes from below in forestry: good governance has sometimes been the result of, rather than the prerequisite for good forest management, and countries do copy one another.
- It would seem that, in the same way, forest MEAS are more likely to be shaped by, than to shape good practice at the national level.
- Nevertheless, the existence of the post Rio MEAS and processes has created the environment within which so much experimentation and learning has been able to take place.

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