



PROGRESS ON THE NEW YORK DECLARATION ON FORESTS

Strengthen forest governance and empower communities



January 2022



Goal 10

Strengthen forest governance, transparency, and the rule of law while empowering and recognizing the rights of Indigenous Peoples and Local Communities, women, and youth, especially the rights pertaining to their lands and resources.

Good forest governance is a necessary condition for forest protection and sustainable land use.

Weak governance in the forest sector comes at a cost. Lost revenues from tax evasion, the loss of ecosystem functions, and conflicts with forest communities are estimated to cause more than **USD 17 billion in economic losses per year**.

Good governance **enables the implementation of and compliance** with laws and policies that prevent or reduce deforestation.

A strong legal and policy framework can also improve people's livelihoods. About 200 million Indigenous People depend on natural forests for their livelihoods. For these communities to continue managing their forests, they **must secure legal recognition and enforcement of their rights**, as well as broader empowerment in governance and decision-making.



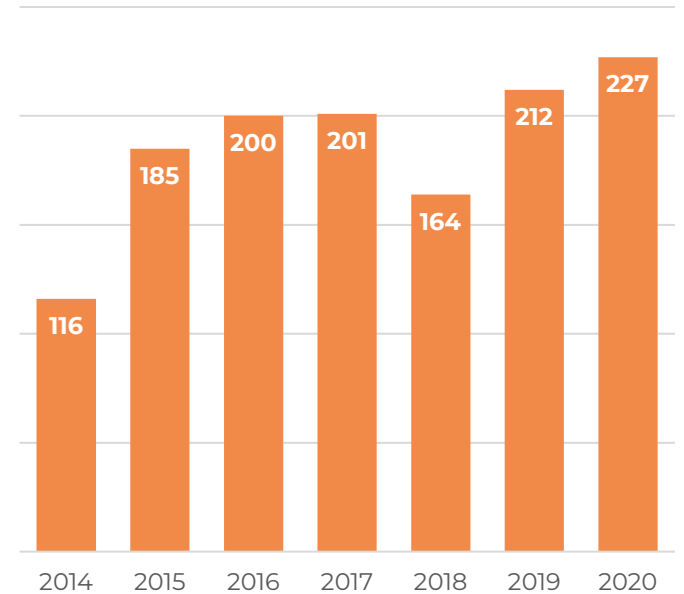
Seven years after the NYDF was launched, improvements in forest governance remain **too slow to have a measurable impact** on reducing deforestation.

While **there is progress** in increasing transparency around forests, improving law enforcement, and expanding demand-side measures to address illegal logging in a number of countries, improvements fall short of what is needed.

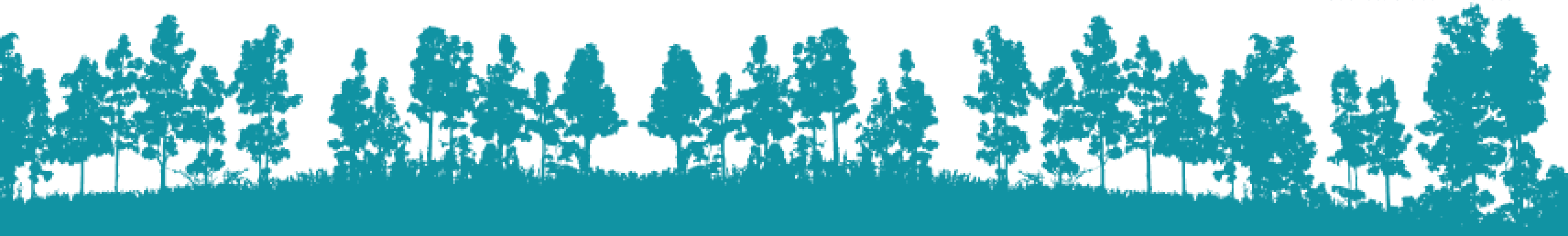
Much deforestation **is illegal, and corruption remains rampant** in and around forests. In the past seven years, illegal deforestation has increased from 49% to 69%.

There is also a continued failure to grant Indigenous Peoples' and local communities' (IPLCs) **rights and decision-making power over their forests**, and the **increasing violence** against defenders of lands and forests is alarming.

Killings of environmental defenders



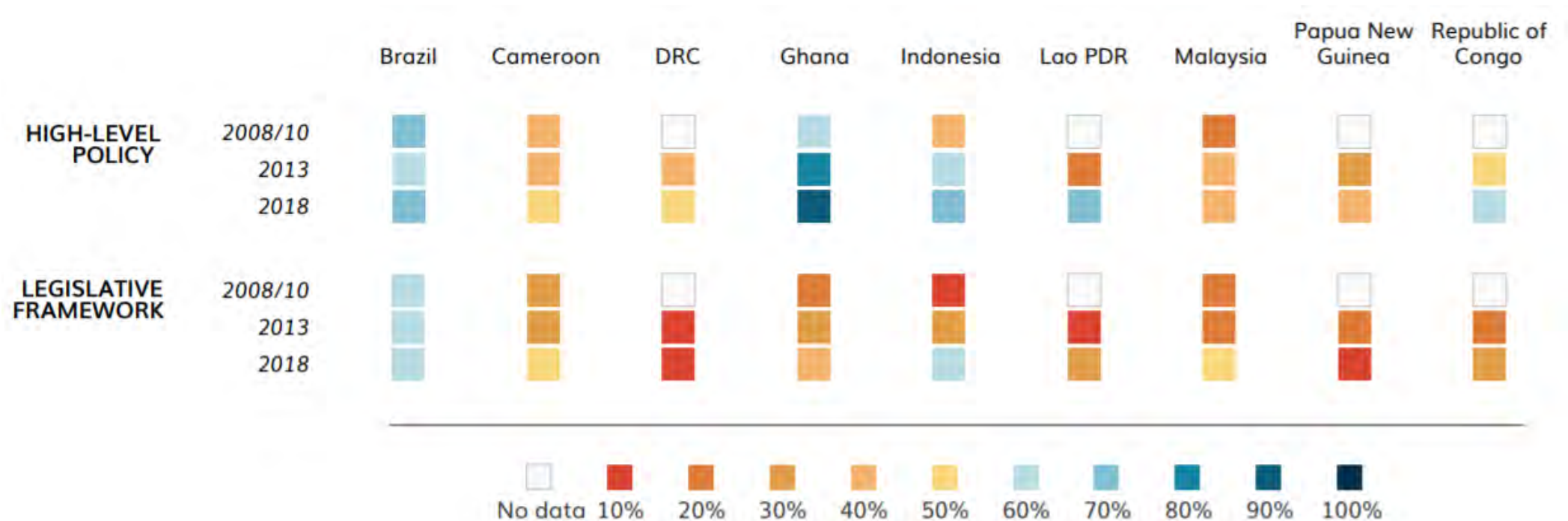
Source: Global Witness



An assessment of nine major tropical forest countries illustrates the challenges that forest countries face in establishing the necessary legal and policy frameworks to enable forest protection and sustainable management.

Most countries assessed made progress over the course of a decade on **developing and strengthening** national action plans to reduce illegal logging and deforestation. However, most countries still **scored poorly on the completeness and coherence** of their forest legislation.

Policy scores for high-level forest policy and legislative frameworks for nine tropical countries



Note: Scores are on a scale of 0 to 100 percent, from worst to best performance. DRC = Democratic Republic of the Congo, Lao PDR = Lao People's Democratic Republic.

Source: Climate Focus and Chatham House. (2018). Assessments of government forest policy in nine countries.



Several systemic challenges continue to hamper progress, especially in countries where **institutions and the rule of law** tend to be weak.

Governance challenges are usually found in countries where:

- Laws on **access to information and justice**, as well as **participation in decision-making**, are weak or inadequately implemented
- The legal system **insufficiently protects** the land and resource rights of Indigenous Peoples, local communities, and women
- **Inconsistencies and conflicts** exist within forest legislation
- Limited **resources and capacities** are allocated to forest enforcement agencies
- Limited priority and a **lack of political will** is attached to implementing forest laws
- High levels of **corruption** prevail
- There is a **lack of transparency and poor traceability** in agricultural commodity supply chains



Signs of progress shed light on how forest governance can be strengthened.

Forest laws and policies:

Despite major inconsistencies still in place, most countries have forest laws and policies on paper.

- As of 2019, 176 countries have environmental frameworks, 150 have embedded environmental protection or the right to a healthy environment in their constitution and 164 countries have created cabinet-level bodies responsible for environmental protection.

Transparency, participation and access to justice:

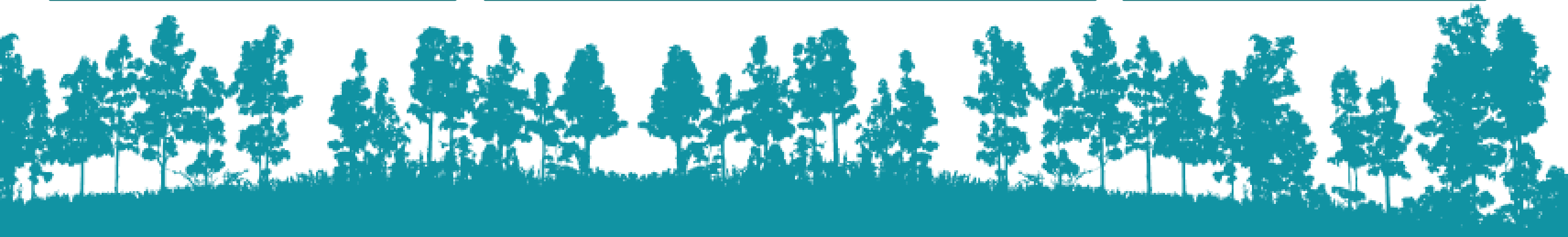
Citizen access to forest information and justice has improved in some countries.

- In 2018, countries in Latin America and the Caribbean reached a milestone by adopting the Escazú Agreement, though ratification has been slow.
- The implementation of Voluntary Partnership Agreements has led to greater government transparency and accountability in Ghana, Cameroon, and Indonesia.
- Many countries' court systems have broadened the criteria for standing, allowing more stakeholders to bring forest-related cases to court.

Enforcement:

Increased international cooperation among enforcement agencies has been successful at tackling trade in illegal timber.

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Recognition of land and resource rights for Indigenous Peoples, local communities and women:

The importance of securing tenure rights is gaining recognition even as significant gaps remain.

- The amount of forest land in 41 countries where IPLCs have legally recognized rights increased from 11 percent in 2002 to 15 percent in 2017.
- A 2020 analysis of 42 countries found that IPLCs lands covered at least 49% of their total land area, but only about half of these lands were legally recognized.

Demand-side measures:

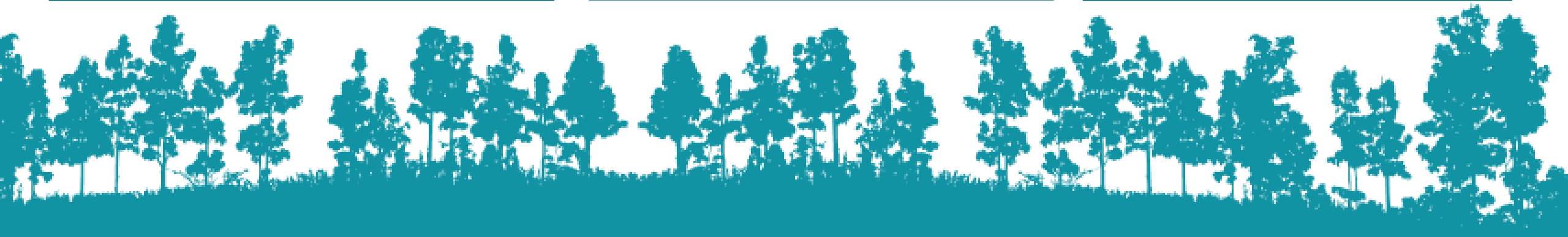
Several countries have adopted demand-side regulations to address commodity-driven deforestation.

- Emerging economies in Asia, including China, Indonesia, Malaysia, the Republic of Korea and Vietnam, have adopted demand-side regulations that prohibit the sale and import of illegally harvested timber.
- The EU is developing legislation that would prevent the import of products linked to deforestation, while the UK is pursuing similar legislation on illegal deforestation.

Public-private collaboration:

A small group of large companies have taken steps to work with governments to jointly address commodity-driven deforestation.

- The Cocoa & Forests Initiative stands as an example of public-private cooperation, with 35 cocoa and chocolate companies working with the governments of Ghana and Cote d'Ivoire on joint action plans. In Colombia, the Cocoa, Forest & Peace Initiative follows a similar model.





Governments need to accelerate their progress by tackling systemic challenges.



- Address **weaknesses in legal and regulatory frameworks** for forests and land use.
- Invest **in and provide adequate mandates** to public agencies, including enforcement and anti-corruption agencies, to ensure they are able to implement the law.
- Enhance **participation of women and IPLCs** in decision-making and benefit-sharing on forest and land use.
- Increase **transparency and checks and balances** to combat corruption in the land and forest sector.
- Consider **all natural ecosystems affected by commodities** that risk driving forest and habitat conversion in legislation and market-based policies and commitments.
- Halt and undo rollbacks to environmental and social protections **adopted in the wake of COVID-19**.